



# Organic Standards Regulations 2025

Cindy Kiro, Governor-General

## Order in Council

At Wellington this 15th day of September 2025

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 130 of the Organic Products and Production Act 2023—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Agriculture after being satisfied of the matters set out in section 131(1) of that Act and complying with the requirements of section 128 of that Act.

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### Schedule 1

#### Transitional, savings, and related provisions

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## Regulations

### 1 Title

These regulations are the Organic Standards Regulations 2025.

### 2 Commencement

These regulations come into force on 31 March 2028.

### 3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

**acceptable input** means, in relation to the production or processing of a product or class of product covered by an organic standard, an input specified by a supplementary notice under section 142(2)(b) of the Act to be an acceptable input

**acceptable substance** means a substance that would be an acceptable input if it were brought within operation boundaries

**Act** means the Organic Products and Production Act 2023

**adverse event** means—

- (a) an adverse climatic event or circumstance:
- (b) an outbreak of an animal or plant disease:
- (c) a natural disaster:
- (d) a catastrophic event:
- (e) a biosecurity incursion

**algae** means any kind of seaweed, micro-algae, or non-algae (such as cyanobacteria) that grows naturally or under cultivation in a marine or freshwater aquatic environment

**animal nutrient** has the meaning given in regulation 3 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011

**annual plant** means a plant with a production cycle of less than 12 months

**aquaculture species**—

- (a) means farmed aquatic organisms; and
- (b) includes, without limitation,—
  - (i) farmed aquatic animals (for example, finfish, shellfish, crustaceans, and echinoderms); and
  - (ii) farmed algae

**aquatic environment** has the meaning given in section 2(1) of the Fisheries Act 1996

**compliant product** means a product that complies with the applicable organic standard

**container growing system** means a system for growing plants that uses containers in which plants—

- (a) are grown; and
- (b) are not directly connected to the land

**conversion period** means, in relation to a product, a production unit, land, or other item, a period of time specified in the applicable organic standard as a conversion period

**feed** has the meaning given in regulation 3 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011

**feed additive** has the meaning given in regulation 3 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011

**food** has the meaning given in section 9 of the Food Act 2014

**food additive** has the meaning that corresponds to the definition of used as a food additive in standard 1.1.2–11 of the Australia New Zealand Food Standards Code

**gene technology** means recombinant DNA techniques that alter the heritable genetic material of living cells or organisms

**grape wine** has the meaning given in section 4(1) of the Wine Act 2003

**growing medium** means growing medium for use in a container growing system

**handling,—**

- (a) in relation to the production of a product, means handling the product to the extent necessary to harvest, rinse, pack, label, store, transport, or otherwise prepare the product for processing or sale; and
- (b) in relation to the processing of a product, means packing, labelling, storing, transporting, or otherwise preparing or delivering the product for further processing or sale

**hydroponic production** means the method of growing a terrestrial plant with its roots in—

- (a) a nutrient solution only; or
- (b) an inert medium (such as perlite, gravel, or mineral wool) to which a nutrient solution is added

**ingredient**, in relation to a processed product,—

- (a) means a substance, material, or product that—
  - (i) is used in manufacturing or preparing the processed product; and
  - (ii) is present in the final processed product in its natural form or in a modified form; but
- (b) excludes any food additive, feed additive, animal nutrient, or nutritive substance

**input** has the meaning given in regulation 4

**ionising radiation** has the meaning given in section 5(1) of the Radiation Safety Act 2016

**livestock** means farmed animals including poultry but, to avoid doubt, excludes aquatic animals and bees

**nanotechnology** means the intentional production of particles with a size less than 100 nm in at least 1 dimension

**non-organic**, in relation to a product or thing, means the product or thing is not managed according to the applicable organic standard, for example, it has not commenced any conversion period required by that standard

**nutritive substance** has the meaning that corresponds to the definition of used as a nutritive substance in standard 1.1.2–12 of the Australia New Zealand Food Standards Code

**operation** means the activities and services undertaken by an operator within operation boundaries

**operation boundaries** means the boundaries specified in an operator's organic management plan

**organic management plan** means the document described in Schedule 3 of the Organic Products and Production Regulations 2025

**package** has the meaning given in section 8(1) of the Food Act 2014, and packaging has a corresponding meaning

**perennial plant** means a plant with a production cycle of 12 months or more

**plant products** means any material of plant origin, including fruit, leaves, flowers, roots, nuts, seeds, vegetative propagation material, or seedlings

**principles** means the principles of organic production and processing set out in regulation 9(1)

**processed product** has the meaning given in regulation 142

**processing**—

- (a) means the use of any mechanical, biological, or physical processing method, or any combination of those methods to produce a processed product (for example, extraction, crushing, fermentation, cutting, or freezing); and
- (b) includes handling

**production**, in relation to any product or any thing from which a product is derived,—

- (a) includes farming, raising, growing, harvesting, collecting, gathering, and handling; but
- (b) ceases when the first of the following occurs:
  - (i) another operator takes possession of the product; or
  - (ii) the product is sold; or
  - (iii) the product is received into the premises where it first undergoes processing

**production unit**—

- (a) means a site within operation boundaries—
  - (i) within which a product intended to be supplied as organic is produced or processed; or
  - (ii) which is undergoing a conversion period or within which a product, land, or any other item is undergoing a conversion period; and
- (b) includes any structures or things within the site that are in or on land or water; but
- (c) in Part 6, has the meaning given in regulation 125

**vegetative propagation material** means any plant tissue (including shoots, leaf or stem cuttings, roots, tubers, rhizomes, bulbs, or corms) used in plant production or propagation

**veterinary medicine** has the meaning given in section 2(1) of the Agricultural Compounds and Veterinary Medicines Act 1997

**wild harvest** means the collection or harvesting of plants, plant products, algae, aquatic plants, or fungi from an area that—

- (a) has not been maintained under cultivation; and
  - (b) has not been grazed by domestic animals; and
  - (c) has not been under any form of active management.
- (2) Any term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

#### 4 Meaning of input

- (1) In these regulations, **input** means a substance that—
- (a) is brought within operation boundaries for the purpose of producing or processing an organic product; and
  - (b) is not—
    - (i) a live animal, plant, seed, vegetative propagation material, or fungal spawn or culture; or
    - (ii) feed, unless it is a feed additive or an animal nutrient; or
    - (iii) an ingredient.
- (2) In this regulation, **substance** includes—
- (a) a biological substance; or
  - (b) a mixture of substances.

#### 5 Meaning of parallel and split production

In these regulations,—

**parallel production** means the production or processing within the same operation boundary of—

- (a) products that are managed according to the organic standard; and
- (b) products that are not managed according to that standard but are visually indistinguishable from products that are

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#### Examples

Organic Braeburn apples and non-organic Braeburn apples that are produced at the same time.

Organic freeze-dried kiwifruit and non-organic freeze-dried kiwifruit that are processed within the same operation boundary.

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**split production** means the production or processing within the same operation boundary of—

- (a) products that are managed according to the organic standard; and
- (b) products that are not managed according to that standard but are visually distinguishable from products that are.

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**Examples**

Organic apples and non-organic sheep that are produced within the same operation boundary over the same period.

Organic freeze-dried kiwifruit and non-organic freeze-dried blueberries that are processed within the same operation boundary.

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**6 Transitional, savings, and related provisions**

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

**7 Guide to these regulations**

- (1) These regulations specify the organic standard that a product must comply with before the product may be described as organic.
- (2) In these regulations, the organic standard that applies to a product means all of the following:
  - (a) Part 1 (which relates to all products); and
  - (b) the Part in these regulations that relates specifically to that product; and
  - (c) any relevant organic standards notice issued under section 142 of the Act.
- (3) In these regulations,—
  - (a) requirements that apply to all products are set out in Part 1; and
  - (b) requirements that are specific to plants, plant products, and fungi are set out in Part 2; and
  - (c) requirements that are specific to wild harvest products are set out in Part 3; and
  - (d) requirements that are specific to livestock are set out in Part 4; and
  - (e) requirements that are specific to aquaculture products are set out in Part 5; and
  - (f) requirements that are specific to bees and bee products are set out in Part 6; and
  - (g) requirements that are specific to processed products are set out in Part 7.

**8 Acknowledgment of tikanga of Māori food systems**

The following provisions of these regulations acknowledge and respect the tikanga of Māori food systems:

- (a) regulation 9(1)(a)(ii):
- (b) regulation 9(1)(f):
- (c) regulation 12(1)(b).

## **9 Principles of organic production and processing**

- (1) The principles of organic production and processing are as follows:
  - (a) organic production and processing encompasses the whole environment (including soil, water, plants, animals, humans, and the planet) and seeks to support and enhance the health of the environment by—
    - (i) working responsibly and sustainably with it; and
    - (ii) protecting the taonga relating to food production for future generations:
  - (b) organic production and processing recognises the importance of—
    - (i) healthy soil and water for healthy ecosystems and biodiversity;
    - (ii) the pollination and nectar-gathering activities of pollinating insects;
    - (iii) fresh water, marine environments, and natural aquatic resources;
    - (iv) the welfare of animals, including their ability to exhibit natural behaviours;
    - (v) prioritising, maintaining, and improving the ecological balance of the production environment and any other part of the environment that will be affected by the production:
  - (c) organic production and processing uses methods for managing pests, weeds, and plant and animal diseases that minimise negative impacts to—
    - (i) the ecological balance of the environment; and
    - (ii) animals and plants produced in that environment:
  - (d) organic production and processing is underpinned by proactive, preventative, sustainable, and responsible production practices that—
    - (i) prioritise conservation of natural resources; and
    - (ii) give prominence to recognising, understanding, and enhancing biodiversity; and
    - (iii) recognise the unique properties of the production environment:
  - (e) organic production and processing is designed and managed to—
    - (i) promote self-sufficiency instead of relying on external measures, inputs, or non-renewable resources; and
    - (ii) operate (as far as practicable) by conserving, recycling, and using nutrients, water, or other materials efficiently:
  - (f) people who are involved together in organic production and processing conduct those relationships with fairness and respect at all stages of production and processing:
  - (g) organic production and processing practices—

- (i) ensure products comply with the applicable organic standard and are identifiable and traceable throughout the supply chains; and
  - (ii) provide consumer confidence when purchasing those products; and
  - (iii) provide business certainty and confidence to operators making organic claims.
- (2) The principles—
- (a) are intended to provide guidance on the ethos of organic production and processing; and
  - (b) do not of themselves have legal effect; but
  - (c) when referred to in any provision of these regulations, have legal effect in that context.

## **10 Coming into force of organic standards**

- (1) The following organic standards come into force on 31 March 2028:
- (a) the organic standard for plants, plant products, and fungi:
  - (b) the organic standard for wild harvest:
  - (c) the organic standard for livestock:
  - (d) the organic standard for aquaculture products:
  - (e) the organic standard for bees and bee products:
  - (f) the organic standard for processed products.
- (2) *See* clause 2 of Schedule 1.

## **Part 1 General provisions**

### **11 Relationship between this Part and other Parts**

- (1) If there is any inconsistency between the requirements of a regulation in this Part and the requirements of a regulation in a Part that is specific to a product, the requirements of the latter regulation prevail to the extent of the inconsistency.
- (2) In this regulation, the requirements of a regulation include any requirements of a supplementary notice that supplements it.

### **12 Prohibited methods, technology, processes, and things**

- (1) The following must not occur or be used in organic production or processing:
- (a) gene technology:
  - (b) methods that—

- (i) interfere with the molecular composition of organisms resulting in genetic material being altered in a way that is impractical or impossible to achieve through natural methods;
  - (ii) include the use of material to accelerate the process of cellular internalisation of gene-altering agents;
  - (c) an organism that is developed involving the use of gene technology or a method described in paragraph (b):
  - (d) a product made from or produced by an organism described in paragraph (c):
  - (e) ionising radiation;
  - (f) nanotechnology or nanomaterials;
  - (g) the application or use of sewage or human waste in a production unit;
  - (h) hydroponic production methods;
  - (i) any technology specified in a supplementary notice and any product made by that technology.
- (2) Subclause (1)(b) and (e) does not prohibit the use of measuring or inspection instruments that use ionising radiation.
- (3) A supplementary notice may specify technology that must not be used in organic production or processing.

### *Inputs*

#### **13 Use of inputs**

- (1) The use of an input that is not an acceptable input is prohibited.
- (2) Subclause (1) is subject to regulation 16.
- (3) An operator may use an acceptable input only if—
- (a) they think that—
    - (i) the input is needed to achieve an outcome (the **outcome**); and
    - (ii) the outcome cannot be achieved by using what is available, or by methods carried out, within the production unit; and
  - (b) the circumstances in which they intend to use the input are the circumstances specified in a supplementary notice.
- (4) If an operator uses an acceptable input, the operator must—
- (a) use only the minimum amount that is needed to achieve the outcome; and
  - (b) comply with any conditions specified in a supplementary notice.
- (5) An operator must keep records of preventative measures or other steps taken to avoid using an acceptable input (*see* subclause (3)(a)(ii)).
- (6) A supplementary notice may specify detailed requirements relating to—

- (a) identifying preventative measures or other steps to avoid having to use an acceptable input; and
- (b) using an acceptable input, including—
  - (i) the circumstances in which the input may be used; and
  - (ii) any conditions that apply to its use; and
- (c) record-keeping.

#### **14 Operator must record input use**

- (1) An operator who uses an input must keep a record of—
  - (a) the name, lot number, or unique identifier of the input; and
  - (b) the name of the manufacturer of the input; and
  - (c) the source of the input; and
  - (d) the date the input is used; and
  - (e) the quantity of input used; and
  - (f) the circumstances in which the input is used; and
  - (g) the thing in relation to which the input is used (for example, what it was applied to).
- (2) If an input is used in the circumstances described in regulation 16(1)(a), the operator must keep a record of the matters required under subclause (1) to the extent that they are known by the operator.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping, including records of particular circumstances in which an input is used.

#### **15 Inputs must be clearly labelled and stored**

- (1) An operator must ensure that—
  - (a) any input that is located within operation boundaries is—
    - (i) clearly identifiable and labelled; and
    - (ii) fit for its intended purpose; and
    - (iii) protected from any thing that poses a risk to its fitness for its intended purpose; and
    - (iv) stored in a way that prevents any risk to the product or the environment; and
    - (v) stored in a clearly identifiable storage area; and
  - (b) the operator complies with any requirements relating to the storage, handling, or labelling of the input that are specified—
    - (i) on the label of the input; and

- (ii) in a supplementary notice if and to the extent that those requirements are not specified on the label.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) ensuring an input is fit for its intended purpose; and
  - (b) the storage, handling, and labelling of the input, including the labelling of an input that is transferred or decanted into containers in a production unit; and
  - (c) how inputs must be identified, including methods of identifying inputs.

## 16 Inputs required under specified legislation

- (1) This regulation applies if specified legislation or a person exercising a specified power requires—
  - (a) an input other than an acceptable input to be used within operation boundaries; or
  - (b) a substance other than an acceptable substance to be used outside operation boundaries in a way that is likely to compromise the product's compliance with the organic standard.
- (2) If the input or substance is required by specified legislation, the operator must include in their organic management plan any mitigation measures available to maintain the ability of the product to comply with the organic standard.
- (3) If the input or substance is required by a person exercising a specified power, the operator must notify the relevant chief executive of the exercise of the power and the date it was exercised (if known).
- (4) A notification under subclause (3) must describe—
  - (a) the input or substance required to be used and how it was used; and
  - (b) any risks to the product's compliance with the organic standard arising from the use of the input or substance; and
  - (c) any mitigation measures that have been or are to be undertaken.
- (5) In this regulation,—

**specified legislation** means secondary legislation made under the Biosecurity Act 1993 or the Animal Products Act 1999

**specified power** means a power exercised under specified legislation or a plan made under section 77 or 97 of the Biosecurity Act 1993.

### *Environmental obligations*

## 17 Duties relating to environmentally sensitive areas and biodiversity

- (1) An operator must—
  - (a) identify, manage, and protect any environmentally sensitive area; and
  - (b) manage the land in a way that supports and promotes biodiversity.

- (2) An operator must manage and protect any environmentally sensitive area from any adverse effects of organic production or processing by—
  - (a) providing the area with an appropriately broad and effective buffer zone to prevent sediment, excess nutrients, or other contaminants from entering the area; and
  - (b) restricting livestock access to the area and the buffer zone.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the management of land to support and promote biodiversity; and
  - (b) environmentally sensitive areas, including the specification, management, and protection of those areas.
- (4) In this regulation, an **environmentally sensitive area** means any area of the natural environment within operation boundaries that—
  - (a) is sensitive to the effects of organic production or processing (for example, an area comprising wetlands, waterways, or tussocks); and
  - (b) meets any requirements or specifications in a supplementary notice; and
  - (c) is identified in the organic management plan according to clause 5 of Schedule 3 of the Organic Products and Production Regulations 2025.

### *Responsible water use*

#### **18 Water use**

- (1) An operator must ensure that the use of water in organic production or processing complies with this regulation.
- (2) Water must be—
  - (a) used responsibly—
    - (i) by ensuring that the amount of water taken does not have an adverse effect on the surrounding environment; and
    - (ii) by taking only what is required; and
  - (b) reused or recycled as appropriate (for example, the reuse of grey water).
- (3) Any water-use system that is used (for example, any irrigation system or method of processing) must be designed to ensure that water is used responsibly.
- (4) An operator must keep records of water usage.
- (5) A supplementary notice may specify detailed requirements relating to responsible water use.

*Waste and by-products***19 Managing waste and by-products**

- (1) An operator must manage waste and by-products of organic production or processing in a manner that—
  - (a) minimises soil and water degradation; and
  - (b) minimises leaching or build-up of things that may contaminate land or water; and
  - (c) minimises air and water pollution; and
  - (d) optimises the recycling of nutrients.
- (2) An operator must keep records relating to management of waste and by-products.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the management of waste (including different types of waste); and
  - (b) the management of by-products (including different types of by-products); and
  - (c) record-keeping.

*Pests, weeds, and diseases***20 Methods for managing pests, weeds, and diseases**

- (1) An operator may only use methods for pest, weed, or disease management that—
  - (a) are consistent with the principles; and
  - (b) minimise any adverse effects on the natural environment; and
  - (c) support the health and well-being of plants and animals.
- (2) An operator must keep records of methods used to manage pests, weeds, or disease.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) pest, weed, or disease management; and
  - (b) record-keeping.

*Facilities and production equipment***21 Design, construction, and use of facilities and production equipment**

- (1) An operator must ensure that—
  - (a) the design and construction of facilities and production equipment do not compromise the compliance of the product with the organic standard; and
  - (b) the use of facilities and production equipment does not—

- (i) adversely affect the surrounding environment; or
    - (ii) cause unnecessary environmental effects; and
  - (c) facilities and production equipment are maintained in compliance with the organic standard.
- (2) A supplementary notice may specify detailed requirements relating to—
- (a) the design and construction of facilities and production equipment, including the use of materials; and
  - (b) the use of facilities and production equipment; and
  - (c) maintenance activities; and
  - (d) record-keeping.

*Managing risk of non-compliance with organic standard*

**22 Management of risk to product's compliance with organic standard**

- (1) This regulation applies if an operator identifies that—
- (a) the requirements of the organic standard are not being complied with in relation to the product; or
  - (b) there is a risk of non-compliance with the organic standard if they do not act.
- (2) The operator—
- (a) must investigate and determine the extent of the non-compliance or risk of non-compliance; and
  - (b) may undertake sampling or testing for that purpose.
- (3) The operator must—
- (a) correct any non-compliance found to have occurred; and
  - (b) manage the affected product as appropriate (for example, by identifying, segregating, tracing, and recalling the product); and
  - (c) notify the relevant chief executive of any critical non-compliance or risk of its occurrence; and
  - (d) identify the cause of the non-compliance and take steps to prevent it reoccurring.
- (4) The operator must keep records of—
- (a) actions taken to manage any non-compliance and risk of non-compliance with the organic standard; and
  - (b) actions taken during and after any non-compliance has occurred; and
  - (c) measures put in place to prevent reoccurrence of non-compliance; and
  - (d) the results of any testing.
- (5) A supplementary notice may specify detailed requirements relating to—

- (a) the identification and investigation of any non-compliance with the organic standard; and
- (b) the identification of a critical non-compliance and information required in a notification under subclause (3)(c); and
- (c) actions that must be taken in particular circumstances, including any preventative measures; and
- (d) record-keeping.

### *Sampling and testing*

## **23 Sampling and testing**

- (1) This regulation applies if an operator undertakes any sampling or testing of the product or a production unit for 1 or more of the following purposes:
  - (a) to investigate any non-compliance or risk of non-compliance with the organic standard under regulation 22:
  - (b) to comply with the requirements of the organic standard or to confirm that compliance:
  - (c) to meet any requirements in the organic standard relating to a conversion period:
  - (d) to support an application for approval as an operator.
- (2) An operator must—
  - (a) ensure that any sampling or testing undertaken for a purpose in subclause (1) complies with any requirements in a supplementary notice; and
  - (b) keep records of any sampling or testing undertaken and the results of that sampling or testing.
- (3) A supplementary notice may specify detailed requirements relating to any of the following matters:
  - (a) what must be sampled:
  - (b) who must conduct the sampling:
  - (c) when and how sampling must be conducted:
  - (d) how samples must be stored and transported:
  - (e) who must conduct the testing:
  - (f) the method of testing required:
  - (g) acceptable or unacceptable test results:
  - (h) reporting of test results:
  - (i) record-keeping.

*Conversion periods***24 Requirements relating to conversion periods**

- (1) If an organic standard requires the product or a related item to undergo a conversion period, the product complies with the organic standard when all conversion periods that apply to the product or any related item have been completed.
- (2) An operator must ensure that the product or related item required to undergo a conversion period is managed according to the organic standard during the conversion period.
- (3) An operator must ensure that production of the product does not regularly switch between organic and non-organic production.
- (4) An operator must keep records that—
  - (a) describe the product or related item undergoing a conversion period; and
  - (b) state when a conversion period has commenced; and
  - (c) state why they consider it necessary for the product or related item to undergo a conversion period; and
  - (d) demonstrate their compliance with subclause (3).
- (5) A supplementary notice may specify detailed requirements relating to record-keeping.
- (6) In this regulation, **related item** means any land, production unit, or other item required for the production of the product to which the organic standard applies.

**25 Land used for livestock or plants must undergo conversion period**

- (1) This regulation applies only to land intended to be used for the purposes of organic production of—
  - (a) livestock; or
  - (b) plants, except for wild harvested plants; or
  - (c) fungi grown on land.
- (2) An operator must ensure that the land undergoes a conversion period of—
  - (a) 12 months, if used for non-herbivorous livestock;
  - (b) 2 years, if used for pasture or grazing of herbivorous livestock;
  - (c) 2 years, if used for annual horticulture crops;
  - (d) 3 years, if used for perennial crops;
  - (e) 3 years, if used in any other way.
- (3) An operator must ensure that the land is suitable for organic production of the relevant organic product.
- (4) A supplementary notice may specify detailed requirements relating to—

- (a) making land suitable for organic production; and
- (b) testing land for suitability for organic production; and
- (c) record-keeping.

### *Soil health and fertility*

#### **26 Soil health and fertility**

- (1) An operator must ensure that land in a production unit used for primary production complies with this regulation.
- (2) An operator must manage land in a way that is consistent with the principles in regulation 9(1)(a) to (e).
- (3) An operator must use production methods that, as much as practicable, minimise—
  - (a) soil erosion; and
  - (b) loss of topsoil; and
  - (c) soil compaction; and
  - (d) soil salination.
- (4) An operator must—
  - (a) conduct testing to monitor the health and fertility levels of the soil; and
  - (b) conduct testing to monitor the biological activity of the soil; and
  - (c) protect and enhance the fertility of the soil; and
  - (d) maintain plant diversity; and
  - (e) undertake crop rotation as relevant to the product being produced.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) soil health, crop rotation, or maintaining plant diversity; and
  - (b) the type and frequency of testing required under subclause (4)(a) or (b); and
  - (c) record-keeping.

### *Split and parallel production*

#### **27 Split and parallel production**

- (1) If an operator undertakes split or parallel production, the operator must—
  - (a) identify any risks from the undertaking that may compromise the product's compliance with the organic standard; and
  - (b) identify measures to address all identified risks and implement those measures; and

- (c) ensure that products that are managed according to the organic standard are managed separately, by time or space, from products that are not managed according to the standard; and
  - (d) have in place, at all times of production and processing, an adequate system that ensures—
    - (i) accurate identification of products that are managed according to the organic standard and products that are not; and
    - (ii) the traceability of products that are managed according to the organic standard and products that are not; and
  - (e) include procedures for meeting the requirements in paragraphs (a) to (d) in their organic management plan; and
  - (f) describe the scope of split or parallel production in their organic management plan.
- (2) An operator must keep records of split or parallel production undertaken.
- (3) A supplementary notice may specify detailed requirements relating to—
- (a) matters to be considered by the operator when identifying risks, including matters that apply to particular kinds of organic production or processing or to different types of products; and
  - (b) measures that an operator must implement to address identified risks, including measures that apply to particular kinds of organic production or processing or to different types of products; and
  - (c) measures and systems for managing the separation, by time or space, of products that are managed according to the organic standard and products that are not; and
  - (d) record-keeping.

### *Cleaning of surfaces or equipment*

#### **28 Surfaces and equipment used in organic production or processing**

An operator must ensure that any surface or equipment that is used in organic production or processing—

- (a) is used only in organic production or processing; or
- (b) is cleaned and sanitised in accordance with regulation 29 if used in other activities.

#### **29 Cleaning of surfaces or equipment**

- (1) If any multi-use surface or equipment is used in the production or processing of the product, the operator must ensure that the surface or equipment—
- (a) is cleaned and sanitised in a manner that does not compromise the product's compliance with the organic standard; and

- (b) undergoes an intervening step (after cleaning and sanitising) to manage the risk of any cleaning residue compromising the product's compliance with the organic standard.

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**Example**

For example, washing or rinsing a product contact surface to remove a cleaning product.

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- (2) An operator must ensure that only acceptable inputs are used for cleaning or sanitising surfaces or equipment.
- (3) An operator must keep records of cleaning and sanitising activities carried out under this regulation, including records of what was cleaned, and when and how it was cleaned.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) cleaning and sanitising activities, including types of cleaning products that may be used; and
  - (b) acceptable types of intervening steps; and
  - (c) record-keeping.
- (5) In this regulation, **multi-use surface or equipment** means any surface or equipment that is used in the operator's organic production or processing and in other activities.

*Harvest, collection, and handling*

**30 Harvest, collection, and handling**

- (1) If the product requires harvesting or collection, the operator must ensure that it is harvested and collected according to the organic standard.
- (2) When harvesting or collecting the product, the operator must use methods that minimise impact to the environment from which it is harvested or collected.
- (3) The operator must keep records of harvest and collection, including—
  - (a) dates and locations of harvest and collection; and
  - (b) what was harvested or collected; and
  - (c) identity information, if applicable; and
  - (d) quantities harvested; and
  - (e) who undertook the harvesting or collection.
- (4) An operator must ensure that products are handled in a manner that does not compromise the products' compliance with the organic standard.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) methods for harvest or collection; and
  - (b) requirements for handling; and

- (c) record-keeping.

*Transport and storage*

**31 Transport and storage**

- (1) An operator must transport and store the product in a manner that does not compromise the product's compliance with the organic standard, and for that purpose, the operator must—
  - (a) ensure that compliant products are not contaminated; and
  - (b) ensure that compliant products are clearly identified at all times to avoid confusion with non-compliant products or non-organic products; and
  - (c) prevent substitution or co-mingling of compliant products with non-compliant products or non-organic products.
- (2) However, if the operator engages a third party to transport or store compliant products, the operator—
  - (a) is not required to comply with the requirements of subclause (1); but
  - (b) is responsible for ensuring that the third party complies with those requirements.
- (3) An operator must keep records of—
  - (a) the transport and storage of compliant products (whether solely or in combination with any non-compliant product or non-organic product); and
  - (b) how the operator meets the requirements of this regulation, including any details of any arrangements made with any third-party transporter or third-party storage service provider.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) separate or combined transport or storage of compliant products, non-compliant products, or non-organic products; and
  - (b) record-keeping.

*Dispatch of products and receipt of items*

**32 Dispatching compliant products and receiving specified items**

- (1) Before dispatching a product that is, or purports to be, a compliant product to a destination other than the final consumer, an operator must ensure that—
  - (a) the product is packaged and loaded in a way that prevents tampering and contamination; and
  - (b) the product's package is labelled with the product's name and the identifying details of the operator's recognised agency; and
  - (c) the product's package is accompanied by documentation that states—

- (i) the product's name and the identifying details of the operator's recognised agency; and
  - (ii) the quantity or volume of the product that the package contains; and
  - (iii) the name of the operator that dispatched the product.
- (2) An operator who receives a specified item into operation boundaries must—
  - (a) check the package in which the item was transported for signs of tampering or contamination; and
  - (b) check the information on the package label against the information in the accompanying documentation; and
  - (c) take all reasonable steps to ascertain whether that information is true and corresponds to the item it purports to relate to.
- (3) An operator must keep records of—
  - (a) specified items received into operation boundaries; and
  - (b) products they have dispatched that are, or purport to be, compliant products.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) the operator's obligations under subclause (1); and
  - (b) the operator's obligations under subclause (2); and
  - (c) record-keeping.
- (5) In this regulation,—
  - package** includes any container
  - specified item** means—
    - (a) a product that is or purports to be a compliant product; or
    - (b) an ingredient; or
    - (c) an input.

### *Retailing of product*

## **33 Retail**

- (1) An operator whose organic management plan includes the retail of the product must ensure that the retail setting of the product does not compromise the product's compliance with the organic standard.
- (2) An operator to whom subclause (1) applies must—
  - (a) ensure that the product is identifiable in the retail setting as organic at all times; and
  - (b) if the product is not packaged, prevent substitution or co-mingling of the product with any non-organic product held by the retailer.

- (3) An operator whose organic management plan includes retailing must keep records of—
  - (a) the name and unique identifier of the supplier of the product; and
  - (b) all organic products (whether packaged or unpackaged) held by the operator.
- (4) A supplementary notice may specify detailed requirements relating to the retail of products, including the following:
  - (a) identifying products; and
  - (b) preventing co-mingling or substitution of products that are not packaged; and
  - (c) record-keeping.

### *Packaging and labelling*

#### **34 Application of packaging and labelling requirements**

Regulations 35 to 37 apply—

- (a) to products that are packaged, including products sold in bulk; and
- (b) at all stages of the supply chain, including non-retail and bulk packaging.

#### **35 Packaging**

- (1) An operator must—
  - (a) use packaging that maintains the product's compliance with the organic standard; and
  - (b) ensure packaging is designed and constructed to prevent substitution and co-mingling of compliant products with non-compliant or non-organic products; and
  - (c) use the minimum amount of packaging that is necessary to comply with the requirements of this regulation; and
  - (d) if reusing packaging, ensure that—
    - (i) the packaging has been thoroughly cleaned before reuse; and
    - (ii) the packaging was not cleaned with any cleaners that could compromise the product's compliance with the organic standard; and
  - (e) use packaging that is not likely to—
    - (i) contain any substance known to have the potential to contaminate the product; or
    - (ii) otherwise compromise the product's compliance with the organic standard.

- (2) The use of the following materials in the packaging of the product is prohibited:
  - (a) PVC; and
  - (b) polystyrene (expanded foam) except when used to transport chilled aquaculture products; and
  - (c) bioplastics derived from technologies described in regulation 12.
- (3) When selecting packaging for the product for the purpose of subclause (1)(a), the operator must select packaging that is consistent with the principles.
- (4) An operator must keep records of—
  - (a) packaging they have selected, including the type of packaging and its use; and
  - (b) reuse of packaging.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) packaging, including—
    - (i) uses of packaging materials; and
    - (ii) design and construction of packaging to prevent substitution and co-mingling of compliant products with non-compliant products; and
    - (iii) packaging materials that are not suitable for use; and
  - (b) cleaning of packaging; and
  - (c) record-keeping.

### **36 Labelling**

- (1) This regulation applies to an operator who is responsible for packaging and labelling the product.
- (2) The operator must ensure that the packaging of the product is labelled with the following information:
  - (a) the name and unique identifier of the operator (that relates to the operator's approval under the Act); and
  - (b) the name, logo, or unique identifier of the recognised entity who verified the operator; and
  - (c) any other information required by a supplementary notice.
- (3) The operator must ensure that each ingredient of a product is clearly differentiated on the packaging as being organic or non-organic.
- (4) A supplementary notice may specify detailed requirements relating to the information required under subclause (2).

**37 Products sold without packaging**

- (1) If the product is sold without packaging, the operator must ensure before it is sold that the product—
  - (a) can be clearly identified as organic; and
  - (b) is identified with the following information:
    - (i) the name and unique identifier of the operator; and
    - (ii) the name or logo of the recognised entity who verified the operator.
- (2) A supplementary notice may specify detailed requirements relating to the identification of products sold without packaging.

*Compliant products and items must be kept separate*

**38 Compliant products and items must be identifiable and kept separate from non-compliant products and non-organic products**

- (1) An operator must ensure that the product and the following items (**items**) are identifiable for the purposes of tracing:
  - (a) an input used in producing or processing the product:
  - (b) an ingredient of the product:
  - (c) a thing that is produced within operation boundaries for use within those boundaries:
  - (d) any live animal, vegetation propagation material, nursery stock, seed, fungal spawn, or culture that is sourced from outside operation boundaries:
  - (e) feed brought into operation boundaries:
  - (f) equipment used in producing or processing the product:
  - (g) anything used by the operator to make compost, growing medium, or substrate in accordance with regulation 45, 47, or 48:
  - (h) packaging and labelling materials:
  - (i) equipment used for critical measurements.
- (2) The operator must also ensure that compliant products and items are identified and kept separate from products and items that do not comply with the organic standard.
- (3) If an operator produces compliant products and non-organic products, the operator must ensure, at all stages of production or processing, that there is clear identification and separation of—
  - (a) compliant products from non-organic products; and
  - (b) the inputs, ingredients, components of compliant products from those of non-organic products.

- (4) A supplementary notice may specify detailed requirements relating to the operator's obligations under subclauses (2) and (3) to identify and keep separate the matters described in those provisions.

## Part 2

### Plants, plant products, and fungi

#### 39 Organic standard for plants, plant products, and fungi

- (1) The organic standard for plants, plant products, and fungi is set out in this Part and Part 1 and includes any relevant organic standards notice.

##### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
- (a) plants:
  - (b) plant products:
  - (c) fungi.
- (3) However, the organic standard does not apply to any of the following:
- (a) wild-harvested plants, wild-harvested plant products, wild-harvested algae and aquatic plants, and wild-harvested fungi (*see* Part 3):
  - (b) cultivated algae and any other farmed or cultivated aquatic plant (*see* Part 5):
  - (c) processed plant products (*see* Part 7).

##### *Restriction of product by organic standard*

- (4) Unless a product described in subclause (2) complies with the organic standard, it must not be described as organic.

#### 40 Plants from which plant products are harvested

A plant product may only be harvested from a plant that complies with the organic standard.

##### *Plants*

#### 41 Conversion period for plants

- (1) A plant grown to produce seed or vegetative propagative material, if that plant was grown from an alternative source described in regulation 43(2), is required to undergo a conversion period as follows:
- (a) for annual plants, 1 production cycle:
  - (b) for perennial plants,—
    - (i) 12 months, if the plant was grown from an alternative source described in regulation 43(2)(a), (b), or (c); or

- (ii) 2 production cycles, if the plant was grown from an alternative source described in regulation 43(2)(d) or (e).
- (2) A plant grown to produce plant products (other than seed or vegetative propagation material), if that plant was grown from an alternative source described in regulation 43(2), is subject to the following:
  - (a) for annual plants, no conversion period is required:
  - (b) for perennial plants,—
    - (i) no conversion period is required, if the plant was grown from an alternative source described in regulation 43(2)(a), (b), or (c); or
    - (ii) a conversion period of 12 months or 2 production cycles (whichever is longer) is required, if the plant was grown from an alternative source described in regulation 43(2)(d) or (e).
- (3) No conversion period is required for a plant grown from—
  - (a) seeds or vegetative propagative material sourced from a plant that complies with the organic standard; or
  - (b) a plant that complies with the organic standard.
- (4) The conversion period that applies to plants (if any)—
  - (a) is in addition to the conversion period that applies to the land on which the plant is grown (*see* regulation 25); and
  - (b) commences after the conversion period for the land is completed.

#### **42 Crop variety selection**

- (1) An operator must select crop varieties and strains that are—
  - (a) well suited to the local conditions and the proposed production methods; and
  - (b) less susceptible to pests, weeds, and diseases than other crop varieties and strains.
- (2) An operator must keep records that identify the crop varieties and strains they have selected.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **43 Sourcing of plants (other than seedlings, sprouts, and microgreens)**

- (1) An operator who produces a plant product (other than seedlings, sprouts, or microgreens) must source its plants from plants that comply with the organic standard, or seeds or vegetative propagation material sourced from those plants.
- (2) However, if a source described in subclause (1) is not available, the operator must source its plants from the following alternative sources and only in the following order of preference:

- (a) plants undergoing the applicable conversion period in regulation 41, or seeds or vegetative propagation material sourced from those plants:
  - (b) untreated non-organic plants, seeds, or vegetative propagation material:
  - (c) non-organic plants, seeds, or vegetative propagation material that has been treated only with acceptable substances:
  - (d) non-organic plants, seeds, or vegetative propagation material that has been treated with substances other than acceptable substances for the purpose of either or both of the following:
    - (i) managing storage, preservation, or protection from pests or disease:
    - (ii) in the case of seeds, coating the seeds:
  - (e) non-organic plants, seeds, or vegetative propagation material that has been treated only for the purpose of New Zealand import requirements.
- (3) If the operator selects an alternative source described in subclause (2)(a) or (c), the operator must obtain—
- (a) information from the supplier about any substance that the alternative source was treated with; and
  - (b) a declaration from the supplier that the alternative source complies with that subclause.
- (4) If the operator selects an alternative source described in subclause (2)(b), the operator must obtain a declaration from the supplier that the alternative source complies with that subclause.
- (5) If the operator selects an alternative source described in subclause (2)(d) or (e),—
- (a) the operator must obtain information from the supplier about any substance that the alternative source was treated with; and
  - (b) the operator must apply to the relevant chief executive for approval to use the alternative source; and
  - (c) the chief executive—
    - (i) must decide the application in accordance with any matters specified in a supplementary notice; and
    - (ii) may impose conditions on the approval the chief executive considers appropriate.
- (6) An operator who selects an alternative source described in subclause (2) must keep records of—
- (a) evidence that demonstrates—
    - (i) why a source described in subclause (1) was not available; and
    - (ii) if relevant, why each alternative source of greater preference in subclause (2) was not available; and

- (b) any conversion period required under regulation 41 and the date it commences and ends; and
  - (c) any approvals given under subclause (5); and
  - (d) any substance that the alternative source was treated with.
- (7) A supplementary notice may specify detailed requirements relating to—
- (a) the use of an alternative source; and
  - (b) information required in an application for approval under subclause (5); and
  - (c) matters that the chief executive must consider in deciding an application for approval; and
  - (d) record-keeping, including in relation to evidence required by subclause (6)(a).
- (8) In this regulation, **New Zealand import requirements** means requirements—
- (a) under an import health standard made under the Biosecurity Act 1993; or
  - (b) issued at the border by an officer authorised under that Act.

#### **44 Sourcing of seedlings, sprouts, and microgreens**

- (1) An operator who produces seedlings must grow them from seeds sourced from a plant that complies with the organic standard.
- (2) An operator who produces sprouts or microgreens must grow them from seeds sourced from a plant that complies with the organic standard.

### *Compost*

#### **45 Material used to make compost**

- (1) This regulation applies to compost made within a production unit for use within that production unit.
- (2) Compost must be made from either or both of the following:
  - (a) material sourced from the production unit;
  - (b) material sourced from another location, but only if the operator is satisfied that the material—
    - (i) is free from contaminants; and
    - (ii) has been made in compliance with regulation 12; and
    - (iii) does not contain a substance other than an acceptable substance.
- (3) If compost is made with material described in subclause (2)(b), that operator—
  - (a) must undertake residue testing on the final compost mixture and keep records of the results; and
  - (b) must keep records of the material used, including—

- (i) when and how much of it was used; and
  - (ii) the source of the material; and
  - (iii) the reasons the operator is satisfied that the material complies with subclause (2)(b).
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) residue testing, including—
    - (i) how and where testing is to be undertaken; and
    - (ii) requirements for specification sheets that demonstrate how a supplier has complied with residue testing requirements; and
  - (b) material that may or may not be used to make compost; and
  - (c) methods of making compost; and
  - (d) record-keeping.

#### *Container growing systems*

### **46 Container growing systems**

- (1) This regulation applies to plants that are grown in a container growing system for organic production.
- (2) An operator—
  - (a) may use a container growing system for—
    - (i) seed raising, propagation, or growing plants for further transplantation; or
    - (ii) growing sprouts or microgreens; but
  - (b) must not use a container growing system to grow any other plants from which plant products are harvested unless the relevant chief executive gives approval.
- (3) An operator may apply to the relevant chief executive for approval to use a container growing system under subclause (2)(b).
- (4) The relevant chief executive—
  - (a) must consider—
    - (i) the operator's reasons for wanting to use a container growing system; and
    - (ii) whether the operator can demonstrate that the growing method is consistent with the principles; and
  - (b) may give approval only if satisfied that the use of a container growing system is necessary to address a particular issue; and
  - (c) may impose conditions on the approval, including the duration of the approval.

- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) information required in an application for approval; and
  - (b) record-keeping.
- (6) To avoid doubt, this regulation does not apply to fungi.

#### **47 Growing media for container growing systems**

- (1) This regulation applies to growing media made within a production unit for use in a container growing system in that production unit.
- (2) Growing media must be made from either or both of the following:
  - (a) material sourced from the production unit;
  - (b) material sourced from another location, but only if the operator is satisfied that the material—
    - (i) is free from contaminants; and
    - (ii) has been made in compliance with regulation 12; and
    - (iii) does not contain a substance other than an acceptable substance.
- (3) An operator who makes a growing medium from material described in subclause (2)(b) must keep records of the material used, including—
  - (a) when and how much of it was used; and
  - (b) the source of the material; and
  - (c) the reasons the operator is satisfied that the material complies with subclause (2)(b).
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) material that may or may not be used to make growing media; and
  - (b) methods of making a growing medium; and
  - (c) record-keeping.

### *Fungi*

#### **48 Substrate for growing fungi**

- (1) This regulation applies to substrate that is made within a production unit for growing fungi in that production unit.
- (2) Substrate must be made from either or both of the following:
  - (a) material sourced from the production unit;
  - (b) material sourced from another location, but only if that material—
    - (i) is free from contaminants; and
    - (ii) has been made in compliance with regulation 12; and
    - (iii) contains only acceptable substances.

- (3) An operator who makes substrate from material described in subclause (2)(b) must keep records of the material used, including—
  - (a) when and how much of it was used; and
  - (b) the source of the material; and
  - (c) the reasons the operator is satisfied that the material complies with subclause (2)(b).
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) material that may or may not be used to make substrate; and
  - (b) methods of making substrate; and
  - (c) record-keeping.

#### **49 Fungal spawn and cultures**

- (1) An operator who produces fungi must use only fungal spawn or cultures that—
  - (a) are sourced from a production unit; or
  - (b) have not been treated with a substance other than an acceptable substance.
- (2) An operator must keep records of the fungal spawn and cultures they use.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **50 Cleaning of facilities used to grow fungi**

- (1) An operator who produces fungi must—
  - (a) regularly clean the facilities used to grow fungi; and
  - (b) clean the facilities at a frequency, and in a manner, specified by a supplementary notice, if any.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) the frequency of cleaning facilities used to grow fungi; and
  - (b) the manner of cleaning those facilities.

### **Part 3 Wild harvest**

#### **51 Organic standard for wild harvest**

- (1) The organic standard for wild harvest is set out in this Part and Part 1 and includes any relevant organic standards notice.

##### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
  - (a) wild-harvested plants:

- (b) wild-harvested plant products:
  - (c) wild-harvested algae and aquatic plants:
  - (d) wild-harvested fungi.
- (3) The standard does not apply to algae and aquatic plants that are harvested for the purpose of cultivation.

*Restriction of product by organic standard*

- (4) Unless a product described in subclause (2) complies with the organic standard, it must not be described as organic.

## **52 Wild harvest area and wild products**

- (1) An operator may wild harvest plants, plant products, algae, aquatic plants, and fungi only from a collection area.
- (2) An operator who wild harvests plants or plant products must be able to demonstrate that—
- (a) the collection area—
    - (i) has not been maintained under cultivation; and
    - (ii) has not been grazed by domestic animals or subject to other forms of active management; and
    - (iii) is located at an appropriate distance away from any potential source of pollution or contamination; and
  - (b) no substance other than an acceptable substance has been used on the collection area for at least 3 years before wild harvesting.
- (3) An operator who wild harvests algae or aquatic plants must be able to demonstrate that—
- (a) the collection area has not been maintained under cultivation or subject to active management; and
  - (b) the collection area is located at an appropriate distance away from any potential source of pollution or contamination; and
  - (c) no substance other than an acceptable substance has been used on the collection area for at least 6 months before wild harvesting.
- (4) An operator—
- (a) must wild harvest within the natural regenerative ability of the ecosystem; and
  - (b) must not contribute to the spread of pests; and
  - (c) must not wild harvest in a way that affects local communities or the stability of the natural habitat.
- (5) An operator who wild harvests algae must—
- (a) identify a sustainable yield of biomass for each collection area; and

- (b) ensure that the amount of algae that is wild harvested is consistent with the principles.
- (6) An operator must keep records of—
  - (a) any wild harvest they have undertaken (including records of what was harvested, where it was harvested, and the quantity harvested); and
  - (b) any activity in the collection area that might affect the compliance of wild harvest products with the organic standard; and
  - (c) evidence of compliance with the requirements in subclause (2)(b) or (3)(c) (as applicable); and
  - (d) estimations of biomass before and after wild harvesting algae.
- (7) A supplementary notice may specify detailed requirements relating to—
  - (a) the collection of wild harvest products; and
  - (b) record-keeping.
- (8) In this regulation, **collection area** means any collection area set out in the organic management plan.

## **Part 4**

### **Livestock**

#### **53 Organic standard for livestock**

- (1) The organic standard for livestock is set out in this Part and Part 1 and includes any relevant organic standards notice.

##### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
  - (a) livestock; and
  - (b) unprocessed products from any livestock.
- (3) The organic standard does not apply to—
  - (a) the processing of any livestock (*see instead* Part 7); and
  - (b) working animals used by the operator (for example, farm dogs).

##### *Restriction of product by organic standard*

- (4) Unless a product described in subclause (2) complies with the organic standard, it must not be described as organic.

##### *Conversion periods*

#### **54 Conversion periods for livestock**

- (1) An operator must ensure that livestock that do not comply with the organic standard undergo the applicable conversion period specified in this regulation.

- (2) The conversion period for livestock farmed for meat production (other than poultry) is—
  - (a) 6 months for caprine (goat), ovine (sheep), or porcine (pig) species; and
  - (b) 12 months for any other species.
- (3) The conversion period for livestock farmed for milk production is 6 months.
- (4) The conversion period for poultry is 6 weeks, subject to the following requirements:
  - (a) poultry farmed for egg production must be brought onto the production unit before they are 18 weeks old;
  - (b) poultry farmed for meat production must be brought onto the production unit before they are 3 days old.
- (5) The conversion period for animals farmed for fibre production is 6 months before the fibre is removed from the animal for the first time.

#### **55 Conversion period for livestock on converted land**

- (1) This regulation applies to livestock that are brought onto a production unit on land that has completed the applicable conversion period in regulation 25.
- (2) Livestock that are not compliant with the organic standard must undergo the applicable conversion period (*see* regulation 54).
- (3) If livestock give birth to offspring while on the production unit, the following provisions apply:
  - (a) if the mother spent less than the final third of the gestation period on the production unit, the offspring must undergo the applicable conversion period specified in regulation 54 from the date of its birth; and
  - (b) if the mother spent the final third of the gestation period or longer on the production unit, the offspring is compliant with the organic standard at birth (and no conversion period is required).

#### **56 Introducing livestock to land undergoing conversion period**

- (1) If non-organic livestock are brought onto land that is undergoing a conversion period,—
  - (a) the conversion period for the livestock ends on the later of the following dates:
    - (i) the date that the land completes the conversion period; and
    - (ii) the date that the livestock completes the applicable conversion period specified in regulation 54; and
  - (b) the following provisions apply if livestock give birth to offspring on the land before the land completes the conversion period:

- (i) if the mother spent the final third of the gestation period or longer on the land, the conversion period of the offspring is completed on the date that the conversion period of the land is completed:
  - (ii) if the mother spent less than the final third of the gestation period on the land, the offspring must undergo the applicable conversion period specified in regulation 54 from the date of its birth.
- (2) For the purposes of this regulation, it is not necessary for land and livestock on the land to commence undergoing a conversion period at the same time.

### **57 Land and livestock undergoing conversion period at same time**

- (1) This regulation applies to livestock other than poultry.
- (2) If land and livestock on the land commence undergoing a conversion period at the same time,—
- (a) the conversion period for the livestock is the conversion period of the land determined under regulation 25:
  - (b) if the livestock give birth to offspring after the conversion period of the land is completed, the offspring is not required to undergo a conversion period:
  - (c) if the livestock give birth to offspring before the conversion period of the land is completed, the conversion period of the offspring commences at birth and ends when the conversion period of the land is completed.

### *Unprocessed products*

### **58 Unprocessed products from livestock**

Unprocessed products from livestock may only be taken from livestock that comply with the organic standard.

### *Source and origin*

### **59 How livestock numbers may be increased**

- (1) This regulation applies to the increase of livestock on a production unit other than by natural increase (for example, due to births).

#### *Livestock other than poultry*

- (2) An operator may increase the number of livestock (other than poultry) on a production unit only in accordance with regulation 60, 61, or 62.

#### *Poultry*

- (3) If an operator wants to increase the number of poultry on a production unit by bringing non-organic chicks onto the production unit, the operator must do so in accordance with regulation 54(4).
- (4) Non-organic chicks brought onto the production unit must undergo the conversion period specified in regulation 54(4).

*Records*

- (5) An operator must keep records of—
  - (a) where the animals were sourced from; and
  - (b) the species and breed of the animals; and
  - (c) the number of animals; and
  - (d) any veterinary treatment of the animals, including veterinary medicines administered; and
  - (e) the date the animals arrived on the production unit.
- (6) A supplementary notice may specify detailed requirements relating to record-keeping.
- (7) *See also* regulation 63.

**60 Non-organic female livestock used for breeding**

- (1) An operator may bring non-organic female livestock onto a production unit for breeding only if female livestock that comply with the organic standard are not reasonably available.
- (2) For the purpose of this regulation, an operator must—
  - (a) use only non-organic female livestock that have not given birth before; and
  - (b) ensure that, over a 12-month period, the number of non-organic female livestock brought onto the production unit does not exceed,—
    - (i) for ovine, porcine, and caprine species, 20% of the livestock on the production unit that, at the start of the 12-month period, comply with the organic standard or are undergoing a conversion period; and
    - (ii) for all other livestock, 10% of the livestock on the production unit that, at the start of the 12-month period, comply with the organic standard or are undergoing a conversion period.
- (3) An operator must keep records of—
  - (a) non-organic female livestock brought onto the production unit under this regulation, including when they were brought onto the production unit; and
  - (b) why female livestock that comply with the organic standard are not reasonably available.
- (4) A supplementary notice may specify detailed requirements relating to record-keeping.
- (5) This regulation does not apply to poultry.

**61 Non-organic male livestock used for breeding**

- (1) Non-organic male livestock may be brought onto a production unit for breeding.
- (2) An operator must keep records of—
  - (a) male livestock brought onto the production unit under this regulation; and
  - (b) the date they were brought onto the production unit; and
  - (c) if applicable, the date they were removed from the production unit.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.
- (4) This regulation does not apply to poultry.

**62 Repopulation of livestock numbers after adverse event**

- (1) An operator must notify the relevant chief executive as soon as practicable after—
  - (a) an adverse event has caused a significant loss of livestock numbers on a production unit; and
  - (b) the operator needs to use non-organic livestock to repopulate livestock numbers because livestock that comply with the organic standard are not available.
- (2) An operator must keep records of—
  - (a) numbers of livestock lost due to adverse events; and
  - (b) non-organic livestock brought onto the production unit under this regulation; and
  - (c) evidence of adverse events and the dates those events occurred.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the matters that must be notified to the chief executive under this regulation; and
  - (b) record-keeping.
- (4) This regulation does not apply to poultry.

**63 Management of non-organic livestock brought onto production unit**

- (1) This regulation applies in relation to any non-organic livestock that are brought onto a production unit under regulations 59 to 62.
- (2) Non-organic livestock must be managed according to the organic standard while they are on the production unit.
- (3) Non-organic livestock must be—
  - (a) identifiable at all times while on the production unit; and

- (b) isolated in an area of the production unit after arrival for the period specified in a supplementary notice.
- (4) Animal products taken from non-organic livestock must be—
  - (a) identifiable; and
  - (b) kept separate from animal products that are compliant with the organic standard.
- (5) An operator must keep records of—
  - (a) isolation of non-organic livestock; and
  - (b) the health status of the animal on arrival at the production unit; and
  - (c) veterinary medicines administered to the animal in the 12 months prior to arrival at the production unit.
- (6) A supplementary notice may specify detailed requirements relating to—
  - (a) the duration of the isolation period of non-organic livestock on arrival at a production unit; and
  - (b) managing non-organic livestock that are being isolated; and
  - (c) record-keeping.

### *Breeding*

#### **64 Operator to ensure breeding system promotes natural birthing**

- (1) An operator must ensure the breeding system used in organic production promotes natural birthing by livestock.
- (2) This regulation does not apply to poultry.

#### **65 Artificial breeding**

- (1) Artificial insemination may be used for breeding livestock only if the insemination material is an acceptable input.
- (2) The following breeding technologies are prohibited:
  - (a) cloning;
  - (b) embryo transfers;
  - (c) reproductive manipulations;
  - (d) artificial synchronisation, including synchronising heat using hormones;
  - (e) induction of oestrus, except if required for the treatment of an individual animal for therapeutic purposes.
- (3) An operator must keep records of any use of artificial insemination for breeding livestock.
- (4) A supplementary notice may specify detailed requirements relating to record-keeping.

*Choice of stock***66 Criteria for choosing stock**

- (1) When selecting livestock, an operator must select animals that are hardy and suited to the local conditions, the production system, and organic production.
- (2) An operator must select livestock by taking into account—
  - (a) the resistance of the animals to disease; and
  - (b) the amount of intervention required by humans.
- (3) An operator must keep records of—
  - (a) livestock selected; and
  - (b) how the requirements of this regulation have been met.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) criteria for selecting livestock; and
  - (b) record-keeping.

*General animal husbandry***67 Animals on production unit must be identifiable**

- (1) Each animal on a production unit must be identifiable—
  - (a) individually; or
  - (b) by flock or herd.
- (2) The method of identification used under subclause (1) must be appropriate for the type of animal, the breed, and the life stage of the animal, flock, or herd being identified.
- (3) A supplementary notice may specify detailed requirements relating to identification of animals on a production unit.

**68 Stock numbers**

- (1) An operator must ensure that the number of animals managed within operation boundaries—
  - (a) does not negatively affect the ecosystem within operation boundaries and of areas surrounding it; and
  - (b) is appropriate for the environment in which the operation boundaries are located; and
  - (c) enables animals to display natural behaviours; and
  - (d) complies with any requirements specified in a supplementary notice.
- (2) An operator must keep records of the number of animals within operation boundaries and where they are kept (for example, in housing or isolation).
- (3) A supplementary notice may specify detailed requirements relating to—

- (a) stock numbers appropriate for particular species, conditions, environments, or ecosystems; and
- (b) stock numbers for poultry species and type of poultry farm; and
- (c) record-keeping.

#### **69 Living environment of livestock**

- (1) This regulation applies to all livestock except poultry.
- (2) Livestock must have access to an outdoor area at all times unless they are in temporary confinement.
- (3) Livestock must be kept in a stable social environment based on the behavioural needs of the species.
- (4) A herd animal must not be kept alone.
- (5) An operator must comply with any requirements in a supplementary notice that relate to an outdoor area.
- (6) A supplementary notice may specify detailed requirements relating to outdoor areas, including—
  - (a) how outdoor areas for livestock are determined; and
  - (b) access to outdoor areas.

#### **70 Temporary confinement of livestock for certain reasons**

- (1) An operator may place livestock in temporary confinement—
  - (a) for reasons relating to animal welfare, health and safety, or the environment; and
  - (b) only until the situation leading to their confinement is resolved.
- (2) A herd animal placed in temporary confinement must have another animal with it to keep it company during confinement.
- (3) An operator must keep records of—
  - (a) animals kept in temporary confinement; and
  - (b) the reasons for their confinement; and
  - (c) the duration of their confinement.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) managing animals in temporary confinement; and
  - (b) the circumstances in which an animal may be temporarily confined; and
  - (c) the conditions of temporary confinement; and
  - (d) record-keeping.

**71 Repeated confinement of livestock**

- (1) An operator must not confine livestock in excess of 60 days per year except with the relevant chief executive's approval—
  - (a) on application by the operator or at the chief executive's own initiative; and
  - (b) for any reason and period that the chief executive considers appropriate.
- (2) An operator must keep records of—
  - (a) any confinement of livestock that is in excess of 60 days per year; and
  - (b) the operator's reasons for that confinement.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) information required in an application for approval; and
  - (b) record-keeping.

*Animal husbandry***72 Painful husbandry procedures**

- (1) An operator must use production systems and practices that do not require the routine use of painful husbandry procedures.
- (2) However, the routine use of the following painful husbandry procedures is permitted if used in accordance with any requirements in a supplementary notice:
  - (a) castration:
  - (b) docking of lambs:
  - (c) disbudding and, if that is not feasible, dehorning:
  - (d) infrared beak tipping.
- (3) An operator who intends to routinely use painful husbandry procedures must identify the following in their organic management plan:
  - (a) which painful husbandry procedures they will use; and
  - (b) when and how those procedures will be used.
- (4) An operator must keep records of the following matters each time a painful husbandry procedure is used on an animal:
  - (a) the identifying details of the animal on which the procedure was used:
  - (b) the date of the procedure:
  - (c) the reasons for the procedure:
  - (d) the person who used the procedure:
  - (e) the methods used:
  - (f) the veterinary medicines used.

- (5) A supplementary notice may specify detailed requirements relating to painful husbandry procedures, including—
  - (a) requirements that apply to the routine use of a painful husbandry procedure; and
  - (b) requirements that apply to painful husbandry procedures that are not to be routinely used; and
  - (c) permitted methods in painful husbandry procedures; and
  - (d) record-keeping.
- (6) In this regulation, **painful husbandry procedure**—
  - (a) means a procedure carried out—
    - (i) with or without instruments and that involves physical interference with the sensitive soft tissue or bone structure of an animal; and
    - (ii) for non-therapeutic reasons; but
  - (b) does not include procedures for treating animals with existing injuries or diseases.

### **73 Other animal husbandry requirements**

- (1) Livestock must not be tethered except when—
  - (a) undergoing a painful husbandry procedure permitted under regulation 72; or
  - (b) receiving treatment for sickness, injury, or disease.
- (2) An operator must not use electric prodders or electrified backing gates in organic production of livestock.

### *Health of livestock*

### **74 Prohibited uses of veterinary medicines**

- (1) Hormone treatments may be used on an individual animal for therapeutic purposes if used under the direction of a veterinarian.
- (2) However, coccidiostats, hormones, or any other artificial aid must not be used on livestock—
  - (a) to stimulate or suppress growth; or
  - (b) to stimulate production; or
  - (c) to control reproduction.
- (3) Antibiotics must not be used on livestock as a preventative treatment or to stimulate growth or production.

**75 Preventive health measures to minimise sickness, injury, or disease in livestock**

- (1) An operator must take preventative measures to minimise sickness, injury, or disease in livestock, including measures for preventing or managing parasite populations in livestock.
- (2) A preventative measure to minimise disease may include the use of vaccines, but only if used in accordance with any conditions and circumstances specified in a supplementary notice.
- (3) An operator must keep records of any preventative measures they have taken.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) preventative measures that may be taken; and
  - (b) the conditions and circumstances in which vaccines may be used as a preventative measure; and
  - (c) record-keeping.

**76 Responding to signs of injury, sickness, and disease in livestock**

- (1) An operator must respond to signs of injury, sickness, and disease in livestock promptly by—
  - (a) identifying and assessing (to the extent possible) the nature and source of the sickness, injury, or disease; and
  - (b) identifying and providing any appropriate treatment required, whether medical or otherwise; and
  - (c) seeking advice from a veterinarian or other suitably qualified person as needed; and
  - (d) ensuring that animals undergoing assessment or treatment are identifiable—
    - (i) individually in the case of large animals; and
    - (ii) by flock or herd (in the case of small animals and poultry).
- (2) An operator must keep records of any treatment given to animals (including records identifying the animal, and describing the treatment given and why it was given).
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

**77 Treatment of sick, injured, or diseased livestock**

- (1) When determining the appropriate treatment of livestock for sickness, injury, or disease, an operator must prioritise the well-being of the livestock over the livestock's compliance with the organic standard.

- (2) The operator's first response to sickness, injury, or disease must include the use of non-allopathic veterinary medicines, unless the operator has reason to believe that such treatment would not be effective.
- (3) If non-allopathic veterinary medicines are or are considered to be ineffective for treating livestock, the operator may then use allopathic veterinary medicines.
- (4) However, an operator may use veterinary medicines (allopathic or non-allopathic) to treat the sickness, injury, or disease only to the extent necessary and for no longer than necessary.
- (5) An operator must keep records of—
  - (a) any veterinary medicine used (whether allopathic or non-allopathic) to treat sickness, injury, or disease in livestock; and
  - (b) the reason for that treatment.
- (6) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **78 Administering treatments**

- (1) An operator must ensure that treatments for animals that are sick, injured, or diseased are administered by a person who is experienced, qualified, or trained to do it.
- (2) An operator must keep records of who administered treatments, including when and how it was administered.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **79 Withholding period for veterinary medicine**

- (1) This regulation specifies the withholding period that must be observed if veterinary medicine is used to treat sick, injured, or diseased livestock.
- (2) If the veterinary medicine has a specified withholding period, the withholding period is twice the specified withholding period.
- (3) If the veterinary medicine has no specified withholding period, the withholding period is 48 hours since the veterinary medicine was last administered.
- (4) To avoid doubt, the 48-hour withholding period does not apply to vaccinations, homeopathic treatments, herbal repellents, and disinfectants that have no specified withholding period.
- (5) If the veterinary medicine is used topically to treat external parasites on animals used for fibre production, the withholding period is 3 months since the veterinary medicine was last administered.
- (6) An operator must keep records of—

- (a) the withholding period of every veterinary medicine used on an animal; and
  - (b) the date and time that the period starts and ends.
- (7) A supplementary notice may specify detailed requirements relating to record-keeping.
- (8) In this regulation, **specified withholding period**, in relation to a veterinary medicine, means the withholding period specified on the veterinary medicine or specified by a veterinarian.

#### **80 Use of allopathic veterinary medicine**

- (1) Livestock must not be treated with more than 3 courses of allopathic veterinary medicine within a 12-month period.
- (2) Livestock with a productive lifespan of less than 12 months must not be treated with more than 1 course of allopathic veterinary medicine.
- (3) A course of allopathic veterinary medicine may include the use of more than 1 type of allopathic veterinary medicine.
- (4) This regulation does not apply to livestock that are treated with allopathic veterinary medicine—
- (a) as part of treatment under a compulsory eradication scheme; or
  - (b) for the treatment of parasites, if the production lifespan of the livestock is 12 months or more; or
  - (c) that is a vaccination.

#### **81 Isolation of sick, injured, or diseased livestock**

- (1) Livestock must be isolated from the rest of the herd or flock by placing them in an isolation area when they start to show signs of sickness, injury, or disease.
- (2) The isolation area—
- (a) must be a production unit or a clearly defined part of the production unit; and
  - (b) may be used for another purpose if it is unused for 2 weeks after an isolation under this regulation has ceased.
- (3) The operator must, in their organic management plan,—
- (a) describe when and how isolation areas will be used; and
  - (b) identify areas that may be used for isolation purposes.
- (4) Livestock must remain in the isolation area until—
- (a) the relevant withholding period is completed, if veterinary medicine was used to treat the animal; or
  - (b) the animal is no longer symptomatic, if no veterinary medicine was used to treat the animal.

- (5) An operator must ensure that—
  - (a) herd animals are placed in isolation with a companion animal; and
  - (b) livestock being isolated do not mingle with livestock that are not isolating, except in the case of young livestock feeding.
- (6) An operator must keep records of—
  - (a) any animal being isolated; and
  - (b) details of how the animal is kept in isolation, including—
    - (i) the duration of the isolation; and
    - (ii) any treatments given to the animal.
- (7) A supplementary notice may specify detailed requirements relating to—
  - (a) managing animals in isolation; and
  - (b) record-keeping.

### *Livestock feed*

#### **82 Livestock feed**

- (1) Livestock must be given the following feed and only in the following order of preference:
  - (a) feed that complies with the organic standard;
  - (b) feed from a production unit that is undergoing a conversion period.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) the types of feed that may be given to different species of livestock; and
  - (b) the minimum amounts or percentages of feed that must be given to a species; and
  - (c) the source of feed from a production unit that is undergoing a conversion period.

#### **83 Use of non-organic feed**

- (1) An operator may apply for approval from the relevant chief executive to give non-organic feed to livestock if—
  - (a) there is a shortage of supply of compliant feed; and
  - (b) the welfare of the livestock is at risk.
- (2) In deciding an application for approval, the chief executive—
  - (a) must consider—
    - (i) the information provided by the operator; and
    - (ii) whether the proposed period of feeding non-organic feed to livestock is reasonable; and
  - (b) may impose any conditions they consider appropriate.

- (3) If the chief executive gives approval, the operator may give the following non-organic feed to livestock but only in the following order of preference:
  - (a) non-organic feed to which only acceptable substances have been applied;
  - (b) any other non-organic feed.
- (4) Feed given to livestock during the interim period does not affect the compliance of the livestock (including any unprocessed product from the livestock) with the organic standard if—
  - (a) the feed was given as a consequence of an adverse event; and
  - (b) only specified non-organic feed was given.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) the circumstances described in subclause (1)(a) and (b), including evidence required to establish that those circumstances exist; and
  - (b) information required in an application for approval, including information about—
    - (i) the operator’s reasons for using non-organic feed; and
    - (ii) the type and quantity of non-organic feed required; and
    - (iii) the period for which it is required.

- (6) In this regulation,—

**interim period** means the period commencing when the operator applies for approval and ending when the chief executive decides the application

**specified non-organic feed** means non-organic feed that the operator has specified in their application for approval.

#### **84 Feed for pigs and poultry**

- (1) In addition to the requirements set out in regulation 82, pigs and poultry must be given feed of a kind, and in the percentages, specified in a supplementary notice.
- (2) Pigs and poultry must be given agricultural protein feed that complies with the organic standard.
- (3) If protein feed that complies with the organic standard is not reasonably available, the operator—
  - (a) may give non-organic protein feed to pigs or poultry; but
  - (b) must not give non-organic protein feed that has been produced or prepared with chemical solvents.
- (4) Non-organic protein feed must not exceed 5% of the annual percentage of dry matter of feed of agricultural origin.
- (5) An operator must notify the relevant chief executive before giving non-organic protein feed to pigs or poultry.

- (6) A supplementary notice may specify detailed requirements relating to—
- (a) the composition of feed that must be given to pigs and poultry (including percentages of feed); and
  - (b) the notification required under subclause (5).

**85 Feed given while land undergoes conversion period**

An operator may give livestock feed from a production unit on land that is undergoing a conversion period if—

- (a) the animal is undergoing a conversion period at the same time as the land in accordance with regulation 57; or
- (b) the animal is brought onto the production unit as described in regulation 56 during the conversion period of the land.

**86 Substances prohibited in feed**

An operator must not give livestock feed that contains antibiotics, coccidiostats, hormones, synthetic nitrogen, or non-protein nitrogen compounds.

**87 Other requirements relating to feed**

- (1) An operator must not deprive livestock of feed even if it means that the livestock will cease to comply with the organic standard.
- (2) An operator must ensure that livestock receive sufficient quantities of feed to—
  - (a) enable them to maintain good health; and
  - (b) satisfy their physiological requirements; and
  - (c) minimise metabolic and nutritional disorders.
- (3) An operator must not force-feed livestock unless that is required for emergency treatment.
- (4) An operator must ensure that feed or feeding methods used do not injure the animal or result in causing ill health to the animal.

**88 Operator must minimise grazing on certain land when moving livestock on foot**

- (1) When moving livestock on foot from one grazing area to another, an operator must—
  - (a) minimise grazing on land that is not managed according to the organic standard; and
  - (b) keep livestock that are compliant with the organic standard separate from any other livestock.
- (2) An operator must keep records of the grazing of livestock, including records of—
  - (a) the places where livestock grazed; and

- (b) how long the livestock grazed; and
  - (c) any access the livestock had to land that is not managed according to the organic standard.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

### **89 Feed for herbivores**

- (1) An operator must give herbivores—
  - (a) feed that primarily comprises pasture and forage that—
    - (i) come from the production unit of the animal; and
    - (ii) comply with any requirements in a supplementary notice; and
  - (b) dry matter in the percentage specified in a supplementary notice.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) pasture and forage given to herbivores; and
  - (b) dry matter given to herbivores.

### **90 Supplementary feed for livestock**

- (1) An operator may give supplementary feed to livestock—
  - (a) to compensate for any deficiencies in the quality or quantity of the feed available; and
  - (b) in accordance with any requirements in a supplementary notice.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) the type and composition of the feed; and
  - (b) any conditions that apply to its use.

### **91 Feeding of young mammalian livestock**

- (1) Young mammalian livestock must be given colostrum for a period specified in a supplementary notice.
- (2) Young mammalian livestock must be fed milk (in accordance with subclause (4)) until they reach an average age and weight at which livestock of that species would typically be weaned from their mothers.
- (3) An operator must comply with any requirements in a supplementary notice about weaning of livestock, including any prescribed weaning periods or weights appropriate for particular livestock species.
- (4) Young mammalian livestock that have not been weaned must be fed maternal milk but if the mother is unable to provide milk or milk in sufficient quantity, the livestock must given milk that—
  - (a) complies with the organic standard; and
  - (b) is specified in a supplementary notice.

- (5) A supplementary notice may specify detailed requirements relating to—
- (a) the minimum periods in which animal species must be fed colostrum; and
  - (b) the minimum age and weight for the weaning of animal species and any circumstances in which the minimum age or weight do not apply; and
  - (c) the types of alternatives to maternal milk; and
  - (d) the minimum periods for which milk must be given.

## **92 Operator must keep records of livestock feed**

- (1) An operator must keep records of—
- (a) all livestock feed brought onto a production unit; and
  - (b) all livestock feed produced within operation boundaries; and
  - (c) all feed given to livestock, including whether the feed was—
    - (i) from a production unit undergoing a conversion period;
    - (ii) feed to which only acceptable inputs have been applied;
    - (iii) non-organic feed.
- (2) If the operator gives feed that does not comply with the organic standard, the operator must keep records of—
- (a) the livestock to which the feed was given and the duration for which was given; and
  - (b) the operator's reasons for giving the feed; and
  - (c) the source, type, and identification information of the feed; and
  - (d) the quantity of feed given or the grazing period; and
  - (e) any application for approval made under regulation 83.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

### *Transport*

## **93 Transporting livestock**

- (1) An operator must ensure that any means for transporting livestock is suitable for—
- (a) the species of livestock; and
  - (b) the life stage of the livestock; and
  - (c) the duration of the journey.
- (2) When transporting livestock, an operator—
- (a) must ensure that the livestock continues to comply with the organic standard; and

- (b) must ensure that livestock that comply with the organic standard do not co-mingle with non-organic animals or animals that do not comply with the organic standard; and
  - (c) must not use tranquillisers on livestock except when needed for animal welfare purposes.
- (3) Subclause (2)(a) does not apply to working animals co-mingling with livestock (for example, farm dogs).
- (4) An operator must keep records of—
  - (a) the animals transported; and
  - (b) when and how the animals were transported; and
  - (c) who transported the animals.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) transporting livestock; and
  - (b) record-keeping.

#### *Living conditions*

#### **94 Housing for livestock**

- (1) An operator must ensure that housing they provide to livestock supports the health and welfare of the livestock.
- (2) An operator must—
  - (a) address any concerns about the health or welfare of livestock inside the housing as soon as practicable after being made aware of them; and
  - (b) keep records of the actions taken to address those concerns.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the housing of livestock; and
  - (b) record-keeping.

#### **95 Requirements for pigs**

- (1) Sows must be kept in groups except—
  - (a) in the last stages of pregnancy; and
  - (b) during the suckling period.
- (2) During the last stages of a sow's pregnancy and during the suckling period, a sow—
  - (a) must have bedding that the operator considers appropriate for the sow's comfort; and
  - (b) must be able to move freely in the pen; and
  - (c) must not have its movement restricted other than for short periods.

- (3) Pigs must have exercise areas where they can engage in dunging and rooting at all times.
- (4) This regulation is in addition to the requirements of regulation 94.

### *Poultry*

#### **96 Waterfowl to have access to bodies of water**

Waterfowl must have access to a stream, pond, lake, or other body of water except when access is prevented by an adverse event or extreme weather conditions.

#### **97 Requirements for poultry**

- (1) An operator must ensure that poultry—
  - (a) have access to an outdoor area during daylight hours for at least one-third of their life, unless an exemption applies as specified in a supplementary notice; and
  - (b) are provided with housing.
- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) conditions of the outdoor area; and
  - (b) circumstances in which access to an outdoor area during daylight hours is not required; and
  - (c) housing for poultry.

## **Part 5 Aquaculture**

#### **98 Organic standard for aquaculture products**

- (1) The organic standard for aquaculture products is set out in this Part and Part 1 and includes any relevant organic standards notice.

##### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
  - (a) farmed finfish:
  - (b) farmed shellfish (including crustaceans and echinoderms):
  - (c) cultivated algae:
  - (d) any other farmed or cultivated aquaculture species.

##### *Restriction of product by organic standard*

- (3) Unless a product described in subclause (2) complies with the organic standard, it must not be described as organic.

*Conversion periods***99 Conversion periods required for aquaculture species (excluding algae)**

An operator must ensure that aquaculture species that do not comply with the organic standard undergo a conversion period of—

- (a) 3 months, in the case of finfish used for breeding; and
- (b) 6 months, in the case of shellfish; and
- (c) 12 months or three-quarters of their lifespan (whichever is longer) for all other aquaculture species (excluding algae).

**100 Conversion period for algae**

An operator must ensure that algae that does not comply with the organic standard undergoes a conversion period of whichever is the longer of—

- (a) 6 months; and
- (b) 1 full production cycle.

**101 Facilities must undergo intervening steps before use as production unit**

- (1) If a facility previously used for non-organic production is to be used for aquaculture production, the operator must undertake intervening steps in relation to the facility to prevent contamination of aquaculture products.
- (2) A supplementary notice may specify detailed requirements relating to intervening steps that must be taken, including any processes and stand-down periods.

*Selection of species and sourcing of stock***102 Selection of species or strains for aquaculture production**

- (1) An operator must select species or strains for aquaculture production that—
  - (a) can adapt to local conditions and production systems; and
  - (b) can maintain their vitality and resistance to pests and diseases; and
  - (c) do not have an adverse effect on the surrounding ecosystem.
- (2) An operator must keep records that demonstrate their compliance with the requirements of subclause (1).
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) stock selection; and
  - (b) record-keeping.

**103 Sourcing of stock**

- (1) This regulation does not apply to the following species:
  - (a) shellfish:
  - (b) algae.

- (2) An operator must source stock for aquaculture production from stock that are compliant with the organic standard.
- (3) However, an operator may bring wild-caught or non-organic aquaculture stock onto a production unit if—
  - (a) stock that are compliant with the organic standard are not available; or
  - (b) new genetic stock are required for breeding purposes.
- (4) An operator must keep records of—
  - (a) wild-caught or non-organic aquaculture stock that have been brought onto the production unit, including—
    - (i) when they were brought onto the production unit; and
    - (ii) the quantity brought onto the production unit; and
  - (b) if subclause (3)(a) applies, why stock that are compliant with the organic standard are not reasonably available.
- (5) A supplementary notice may specify detailed requirements relating to the management of a particular species, including requirements relating to—
  - (a) selection of suitable stock (for the environment and for the purposes of aquaculture production); and
  - (b) sourcing of stock; and
  - (c) stock management; and
  - (d) record-keeping.

#### **104 Sourcing shellfish spat, gametes, and seed**

- (1) An operator must source shellfish spat (including wild spat), gametes, or seed (including wild seed) that are compliant with the organic standard.
- (2) However, if an item described in subclause (1) is not reasonably available, the operator must source the item from the following and only in the following order of preference:
  - (a) shellfish spat, gametes, or seed that are managed according to the organic standard from settlement:
  - (b) wild spat or wild seed (including any from outside of the production unit), but only in accordance with any requirements specified in a supplementary notice.
- (3) An operator must keep records of—
  - (a) shellfish spat, gametes, or seed that are not compliant with the organic standard that have been brought onto the production unit under this regulation, including—
    - (i) when they were brought onto the production unit; and
    - (ii) the quantity brought onto the production unit; and

- (b) why shellfish spat, gametes, or seed that are compliant with the organic standard are not reasonably available.
- (4) A supplementary notice may specify detailed requirements relating to how shellfish spat, gametes, or seed are to be sourced.

### **105 Algae cultivation and collection**

- (1) An operator must—
  - (a) use sustainable practices when collecting algae for cultivation; and
  - (b) ensure that the density of algae cultivated does not have an adverse effect on the environment.
- (2) A supplementary notice may specify detailed requirements relating to the collection and cultivation of algae.
- (3) *See also* regulation 52(3)(b).

#### *Production environment*

### **106 Stock density**

- (1) An operator must—
  - (a) ensure that stock density in an aquaculture production unit is appropriate for the species, type of environment, or particular ecosystem of the production unit; and
  - (b) comply with any requirements in a supplementary notice about stock density.
- (2) An operator must keep records that demonstrate their compliance with the requirements of subclause (1).
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) stock density, including matters that an operator must take into account when determining stock density in relation to specific species, ecosystems, or environments; and
  - (b) record-keeping.

### **107 Location of production units and collection areas**

- (1) An operator must ensure that the following are not located in an area that is likely to contain sources of contamination:
  - (a) production units;
  - (b) areas where spat and seed are collected for aquaculture production.
- (2) A supplementary notice may specify detailed requirements relating to the location and management of production units, including—
  - (a) the distance between a production unit and a contamination source; and

- (b) the distance between a contamination source and an area where spat and seed are collected for aquaculture production.

### **108 Water quality in land-based aquaculture production**

- (1) An operator must ensure that the quality of water used in land-based aquaculture production is suitable for its intended use.
- (2) An operator must—
  - (a) regularly monitor the water quality used in land-based aquaculture production; and
  - (b) keep records of that monitoring.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) water quality; and
  - (b) record-keeping.

### *Management of production and processes*

### **109 Management of aquaculture species excluding algae**

- (1) This regulation applies to aquaculture species (excluding algae).
- (2) An operator must ensure that the management of any aquaculture species for the purpose of aquaculture production—
  - (a) meets the physiological and behavioural needs of the species; and
  - (b) uses reproduction methods that minimise interference with the natural behaviour of the species; and
  - (c) is undertaken in a way that maintains the environment of the species in a healthy state.
- (3) An operator must—
  - (a) regularly monitor water quality, stock densities, and the health and behaviour of aquaculture species; and
  - (b) manage the production unit to—
    - (i) maintain water quality; and
    - (ii) maintain the health and natural behaviour of the aquaculture species; and
  - (c) keep records of—
    - (i) activities undertaken under paragraphs (a) and (b); and
    - (ii) reproduction methods used for aquaculture species.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) the management of aquaculture species, including in relation to reproduction methods and the environment in which the species is raised; and
  - (b) monitoring required by subclause (3)(a).

**110 Prohibited aquaculture production and processing methods**

- (1) The following methods are prohibited in aquaculture production or processing:
  - (a) artificially induced polyploidy;
  - (b) artificial hybridisation;
  - (c) artificial production of mono-sex strains;
  - (d) poisoning of predators;
  - (e) routine use of painful husbandry procedures;
  - (f) use of tranquillising chemicals, paralysing toxins, or carbon dioxide for slaughtering aquaculture species;
  - (g) use of artificially sterilised populations;
  - (h) use of hormones and hormone derivatives—
    - (i) to stimulate or suppress growth;
    - (ii) to stimulate production;
    - (iii) to control reproduction;
  - (i) slaughter of aquatic animals in ponds, cages, or tanks where other animals are living;
  - (j) use of suffocation for slaughtering aquatic animals.
- (2) However, the use of hormones and hormone derivatives is not prohibited when used for therapeutic purposes under the direction of a veterinarian.

**111 Operator must keep records of non-organic aquaculture species**

An operator must keep records of any non-organic aquaculture stock brought onto a production unit, including records of—

- (a) where the stock is sourced from; and
- (b) the reason why the stock is brought onto the production unit; and
- (c) how the stock is used while on the production unit (for example, for breeding); and
- (d) any veterinary medicines administered to the stock while it is on the production unit; and
- (e) the date the stock arrived on the production unit.

*Feed***112 Requirements relating to feeding of aquaculture species**

- (1) An operator must ensure that—
  - (a) aquaculture species receive sufficient quantities of feed to—
    - (i) enable the species to maintain good health; and
    - (ii) satisfy the physiological requirements of the species; and

- (iii) minimise metabolic and nutritional disorders of the species; and
  - (b) the feed or feeding methods used do not injure or cause ill health to the aquaculture species.
- (2) An operator must ensure that feed for aquaculture species (excluding algae) is sourced from feed that is compliant with the organic standard.
- (3) An operator must not give the following materials as feed for aquaculture species (excluding algae):
  - (a) material from the same species, genus, or family as the one being fed;
  - (b) pure amino acids;
  - (c) growth promoters and stimulants.
- (4) An operator must keep records of feed given to aquaculture species.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) feed for specified aquaculture species or classes of aquaculture species; and
  - (b) record-keeping.

### **113 Giving non-organic feed to aquaculture species (excluding algae)**

- (1) An operator may apply for approval from the relevant chief executive to give non-organic feed to an aquaculture species (excluding algae) if—
  - (a) there is a shortage of supply of suitable feed that complies with the organic standard; and
  - (b) the welfare of the aquaculture species is at risk.
- (2) When deciding an application for approval, the chief executive—
  - (a) must consider—
    - (i) the information provided by the operator; and
    - (ii) whether the proposed period for giving the feed is reasonable; and
  - (b) may impose any conditions they consider appropriate.
- (3) If the chief executive gives approval, an operator may give the following non-organic feed to an aquaculture species but only in the following order of preference:
  - (a) non-organic feed to which only acceptable substances have been applied;
  - (b) any other non-organic feed.
- (4) Non-organic feed given to an aquaculture species during the interim period does not affect the compliance of the species with the organic standard if—
  - (a) the feed was given as a consequence of an adverse event; and
  - (b) only specified non-organic feed was given.
- (5) A supplementary notice may specify detailed requirements relating to—

- (a) the circumstances described in subclause (1)(a) and (b), including evidence required to establish those circumstances exist; and
  - (b) information required in an application for approval, including information about—
    - (i) the operator’s reasons for using non-organic feed; and
    - (ii) the type and quantity of non-organic feed required; and
    - (iii) the period for which it is required.
- (6) In this regulation,—
- interim period** means the period commencing when the operator applies for approval and ending when the chief executive decides the application
- specified non-organic feed** means non-organic feed that the operator has specified in the application.

### *Husbandry practices*

#### **114 Permitted husbandry practices**

- (1) The use of closed water recirculation in facilities is prohibited unless—
  - (a) it is used in—
    - (i) hatcheries or nurseries (including those used for spat production); or
    - (ii) facilities used to produce aquaculture species that—
      - (A) are used as feed; and
      - (B) are compliant with the organic standard; and
  - (b) the relevant chief executive gives approval to an operator to do so.
- (2) An operator may apply to the relevant chief executive for approval to use a closed water recirculation system.
- (3) When deciding an application for approval, the chief executive—
  - (a) must consider any matters specified in a supplementary notice; and
  - (b) may impose conditions on an approval.
- (4) The following practices are permitted in organic production:
  - (a) the mechanical aeration of water to ensure the health and welfare of aquaculture species;
  - (b) the use of artificially prolonged light that—
    - (i) is appropriate to the aquaculture species and geographical location; and
    - (ii) does not exceed 16 hours per day; and
    - (iii) avoids abrupt changes in light intensity;
  - (c) the use of ultraviolet light and ozone in hatcheries and nurseries;

- (d) the use of natural bore water at any stage of production:
  - (e) the use of artificial heating or cooling for the health or welfare of an aquaculture species:
  - (f) the addition of oxygen to water to meet health requirements of an aquaculture species during critical periods of production and transport.
- (5) An operator must—
- (a) keep records of any use of the practice permitted by subclause (4)(f); and
  - (b) include reasons for its use.
- (6) A supplementary notice may specify detailed requirements relating to—
- (a) the information required in an application for approval to use a closed water recirculation system; and
  - (b) the matters that the chief executive must consider when deciding an application for approval; and
  - (c) the practices permitted by this regulation; and
  - (d) record-keeping.

*Health of aquaculture species excluding algae*

**115 Preventive health measures to minimise sickness, injury, and disease of aquaculture species excluding algae**

- (1) An operator must take preventative measures to minimise sickness, injury, or disease in aquaculture species (excluding algae), including measures for preventing or managing parasite populations in aquaculture species.
- (2) A preventative measure to minimise disease may include the use of vaccines, but only if used in accordance with any conditions and circumstances specified in a supplementary notice.
- (3) An operator must keep records of any preventative measures they have taken.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) preventative measures that may be taken; and
  - (b) the conditions and circumstances in which vaccines may be used as a preventative measure; and
  - (c) record-keeping.

**116 Operator must respond to signs of injury, sickness, and disease in aquaculture species (excluding algae)**

- (1) An operator must promptly respond to signs of injury, sickness, and disease in an aquaculture species (excluding algae) by—
  - (a) identifying and assessing (to the extent possible), the nature and source of the sickness, injury, or disease; and

- (b) identifying and providing any appropriate treatment required; and
  - (c) seeking advice from a veterinarian or other suitably qualified person as needed; and
  - (d) ensuring that the aquaculture species undergoing assessment or treatment is identifiable.
- (2) An operator must keep records of—
- (a) each time they respond to signs of sickness, injury, or disease in an aquaculture species; and
  - (b) any treatment given to the aquaculture species, including the type of species, the treatment given, and reasons for the treatment.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **117 Determining appropriate treatment of sick, injured, or diseased aquaculture species excluding algae**

- (1) When determining the appropriate treatment of aquaculture species (excluding algae) for sickness, injury, or disease, an operator must prioritise the well-being of the aquaculture species over the species' compliance with the organic standard.
- (2) An operator's first response to sickness, injury, or disease must include the use of non-allopathic veterinary medicines, unless the operator has reason to believe that such treatment would not be effective.
- (3) If non-allopathic veterinary medicines are or are considered to be ineffective for treating the aquaculture species, an operator may then use allopathic veterinary medicines.
- (4) However, an operator may use veterinary medicines (allopathic or non-allopathic) to treat the sickness, injury, or disease only to the extent necessary and must not use the medicine any longer than necessary.
- (5) An operator must keep records of—
- (a) any veterinary medicine used (whether allopathic or non-allopathic) to treat sickness, injury, or disease in the aquaculture species; and
  - (b) the reason for the treatment.
- (6) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **118 Administering treatments**

- (1) An operator must ensure that treatments for aquaculture species (excluding algae) that are sick, injured, or diseased are administered by a person who is experienced, qualified, or trained to do it.

- (2) An operator must keep records of who administered treatments, including when and how they are administered.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

#### **119 Withholding period for veterinary medicine**

- (1) This regulation specifies the withholding period that must be observed if veterinary medicine is used to treat sick, injured, or diseased aquaculture species (excluding algae).
- (2) If the veterinary medicine has a specified withholding period, the withholding period is twice the specified withholding period.
- (3) If the veterinary medicine has no specified withholding period, the withholding period is 48 hours since the veterinary medicine was last administered.
- (4) To avoid doubt, the 48-hour withholding period does not apply to vaccinations, homeopathic treatments, herbal repellents, and disinfectants that have no specified withholding period.
- (5) An operator must keep records of—
  - (a) the withholding period of every veterinary medicine used on an aquaculture species; and
  - (b) the date and time that the period starts and ends.
- (6) A supplementary notice may specify detailed requirements relating to record-keeping.
- (7) In this regulation, **specified withholding period**, in relation to a veterinary medicine, means the withholding period specified on the veterinary medicine or specified by a veterinarian.

#### **120 Use of allopathic veterinary medicine**

- (1) An aquaculture species must not be treated with more than 2 courses of allopathic veterinary medicine within a 12-month period.
- (2) An aquaculture species with a productive lifespan of less than 12 months must not be treated with more than 1 course of allopathic veterinary medicine.
- (3) A course of allopathic veterinary medicine may include the use of more than 1 type of allopathic veterinary medicine.
- (4) This regulation does not apply to any aquaculture species that is treated with allopathic veterinary medicine—
  - (a) as part of treatment under a compulsory eradication scheme; or
  - (b) for the treatment of parasites in aquaculture species with a productive lifespan of less than 12 months; or
  - (c) that is a vaccination.

*Transport***121 Transport of aquaculture species excluding algae**

- (1) An operator who is transporting aquaculture species (excluding algae) must—
  - (a) use a transport medium that is appropriate for the species with regard to water quality (for example, the use of salt water medium for transporting salt water species); and
  - (b) minimise the duration of transport of aquaculture species; and
  - (c) ensure that, during transport,—
    - (i) the species is maintained in a healthy state and is regularly monitored; and
    - (ii) the species is contained in conditions that minimise stress to it during transit.
- (2) Any equipment, construction material, or transport medium used in the transport of aquaculture species must not compromise the compliance of the species with the organic standard.
- (3) An operator must keep records of transport of aquaculture species, including records of—
  - (a) when and how they were transported; and
  - (b) the reasons for the transportation.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) transporting aquaculture species, including—
    - (i) when and how they may be transported; and
    - (ii) the reason for which they may be transported; and
  - (b) record-keeping.

*Harvest***122 Harvest**

- (1) When harvesting aquaculture species, an operator must use harvesting methods that minimise stress to aquaculture species.
- (2) The operator must keep records of harvest details, including records of—
  - (a) dates and locations of harvest; and
  - (b) types of species harvested; and
  - (c) lot identifications; and
  - (d) quantities harvested; and
  - (e) the process used and how the operator has minimised any adverse effects on the surrounding environment; and

- (f) compliance with any requirements specified in a supplementary notice.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) methods for harvesting and processing aquaculture species; and
  - (b) record-keeping.

### **123 Harvest of algae**

- (1) An operator must ensure that the harvest of algae does not have an adverse effect on the surrounding environment.
- (2) An operator must keep records of the following matters relating to the production and harvest of algae:
  - (a) dates, locations, species, and quantities harvested; and
  - (b) how the operator has minimised any adverse effects on the surrounding environment.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

## **Part 6 Bees and bee products**

### **124 Organic standard for bees and bee products**

- (1) The organic standard for bees and bee products is set out in this Part and Part 1 and includes any relevant organic standards notice.

#### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
  - (a) bee products (including honey, wax, and propolis):
  - (b) bees (including colonies and swarms).

#### *Restriction of product by organic standard*

- (3) Unless a product described in subclause (2) complies with the organic standard, it must not be described as organic.

### **125 Defined terms**

In this Part, unless the context otherwise requires,—

**apiary** means a collection of hives at a particular location, but does not include the land on which the hives are situated

**colony** means a group of bees that are living in a hive, with or without a queen bee

**hive**—

- (a) means a physical structure that is being used, or has been used, for the purpose of keeping bees; and

(b) includes any internal parts of the structure

**production unit**—

(a) means an apiary in relation to which each hive has completed or is undergoing the conversion period; and

(b) includes any foraging areas

**swarm** means a group of bees that are living outside of a hive, with or without a queen bee.

### **126 Conversion period for bees and hives**

- (1) Bees and hives that do not comply with the organic standard must undergo a conversion period of 12 months.
- (2) During the conversion period, an operator must replace beeswax in the hive with beeswax sourced in accordance with regulation 132.
- (3) An operator must keep records of—
  - (a) when the beeswax is replaced; and
  - (b) the source of the beeswax.
- (4) A supplementary notice may specify detailed requirements relating to—
  - (a) the conversion period for bees and hives; and
  - (b) record-keeping.

### **127 Strain of bees**

- (1) An operator must, when selecting a strain of bees for their operation, take into account—
  - (a) the capacity of the bees to adapt to local conditions; and
  - (b) the bees' vitality and resistance to disease.
- (2) An operator must keep records of—
  - (a) selected strains of bees; and
  - (b) reasons for that selection.
- (3) A supplementary notice may specify detailed requirements relating to record-keeping.

### **128 Establishing new production units and increasing hive numbers**

- (1) An operator may establish a new production unit with—
  - (a) hives and bees that are compliant with the organic standard; or
  - (b) hives and bees undergoing a conversion period in accordance with regulation 126; or
  - (c) a combination of hives and bees described in paragraph (a) and hives and bees described in paragraph (b).

- (2) An operator may increase the number of hives in a production unit by—
  - (a) splitting an existing hive—
    - (i) within that production unit; or
    - (ii) from any production unit within operation boundaries and adding that hive to another production unit within operation boundaries; or
  - (b) adding hives that are—
    - (i) from outside operation boundaries; and
    - (ii) compliant with the organic standard.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) establishing new production units; and
  - (b) increasing the number of hives in a production unit; and
  - (c) record-keeping.

#### **129 Renewal of bees**

- (1) An operator may, within a 12-month period,—
  - (a) renew up to 10% of the colonies in a production unit by replacing them with colonies that are—
    - (i) not compliant with the organic standard; or
    - (ii) undergoing a conversion period; or
  - (b) renew up to 10% of the queen bees in a production unit by replacing them with queen bees that are—
    - (i) not compliant with the organic standard; or
    - (ii) undergoing a conversion period.
- (2) The relevant chief executive may approve an operator renewing more than 10% of the colonies or queen bees in a production unit if—
  - (a) an adverse event has occurred; and
  - (b) the chief executive has considered any criteria specified in a supplementary notice.
- (3) If a colony, or a queen bee within a colony, has undergone renewal, an operator must not split the hive of that colony to increase the size of the production unit within 12 months after renewal.
- (4) An operator must keep records of the renewal of any colonies or queen bees under this regulation.
- (5) A supplementary notice may specify—
  - (a) criteria for renewing more than 10% of the colonies or queen bees in a production unit; and
  - (b) detailed requirements relating to record-keeping.

**130 Hives must be marked**

- (1) Each hive within operation boundaries must have a physical mark that identifies—
  - (a) the status of the hive as—
    - (i) being compliant with the organic standard; or
    - (ii) undergoing a conversion period; or
    - (iii) non-organic; and
  - (b) any of the following, if applicable:
    - (i) that the colony or queen bee has been renewed within the last 12 months;
    - (ii) that the colony is being treated for disease or pests;
    - (iii) that the colony has been provided with supplementary feed—
      - (A) under regulation 133 during that dormant season; or
      - (B) under regulation 134 during that production season.
- (2) A supplementary notice may specify detailed requirements about record-keeping relating to the identification of hives.
- (3) In subclause (1)(b), **renewed** means renewed in accordance with regulation 129.

**131 Constructing hives**

- (1) An operator must ensure that hives—
  - (a) are constructed of materials that do not adversely affect the compliance of the bees or bee products with the organic standard; and
  - (b) meet any requirements about the construction of hives specified in a supplementary notice.
- (2) An operator must keep records of materials with which hives are constructed.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the construction of hives; and
  - (b) record-keeping.

**132 Sourcing of beeswax**

- (1) An operator may source beeswax for their hives in the following ways but only in the following order of preference:
  - (a) from a hive within operation boundaries that is compliant with the organic standard;
  - (b) from a hive outside operation boundaries that is compliant with the organic standard;
  - (c) from any other source if the operator is satisfied that the beeswax—

- (i) comes only from the cap; and
  - (ii) is free from contaminants that may affect the compliance of bee products with the organic standard.
- (2) The operator must keep records that demonstrate their compliance with the requirements of subclause (1).
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) sourcing beeswax; and
  - (b) record-keeping.

### 133 Feeding during dormant season

- (1) An operator must ensure that hives are left with sufficient reserves of honey and pollen to enable the colony to survive until nectar or honeydew is available for foraging.
- (2) During the dormant season, an operator may give bees—
  - (a) feed from reserves of honey or pollen that comply with the organic standard; and
  - (b) supplementary feed, but only if—
    - (i) the reserves are insufficient to ensure the colony’s survival until nectar or honeydew is available for foraging; and
    - (ii) the supplementary feed complies with the organic standard.
- (3) An operator must keep records of supplementary feed they have used that specify what supplementary feed was used and when and why it was used.
- (4) In this regulation, **dormant season** means the period—
  - (a) commencing when the honey supers have been removed from the hive; and
  - (b) ending when new honey supers are added to the hive.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) types of supplementary feed that may be used under this regulation; and
  - (b) record-keeping.

### 134 Using supplementary feed during production season

- (1) During the production season, an operator must not give supplementary feed to a colony unless—
  - (a) the survival of the colony is in danger; and
  - (b) there is an adverse event.
- (2) If an operator gives supplementary feed to a colony during the production season,—

- (a) the operator must remove the colony and the hive containing that colony from the production unit; and
- (b) any bee product produced during that production season from that hive after supplementary feed is given—
  - (i) is not compliant with the organic standard; and
  - (ii) must not be sold or marketed as an organic product.
- (3) An operator must notify the relevant chief executive as soon as practicable after giving supplementary feed to a colony during the production season.
- (4) An operator must keep records of—
  - (a) the kind of supplementary feed given to a colony during the production season; and
  - (b) the reason it was given; and
  - (c) the notification given to the chief executive.
- (5) A supplementary notice may specify detailed requirements relating to—
  - (a) record-keeping; and
  - (b) any notification required under subclause (3); and
  - (c) the relocation of hives that must be removed under subclause (2)(a).
- (6) In this regulation, **production season** means the period commencing when the honey supers are added to the hive at the beginning of the nectar and honeydew flow period and ending when the dormant season as described in regulation 133(4) commences.

### **135 Bee and hive management**

- (1) An operator must use only a method prescribed in a supplementary notice to remove bees from a hive.
- (2) The wings of a queen bee must not be clipped.
- (3) An operator may destroy a male brood by a method prescribed in a supplementary notice if it becomes infested with a pest or disease.
- (4) A supplementary notice may specify detailed requirements relating to management practices for handling bees, including—
  - (a) removing bees from a hive; and
  - (b) destroying a male brood.

### **136 Prevention of disease and pests**

- (1) An operator must manage their production unit in a manner that—
  - (a) minimises the occurrence of disease and pests; and
  - (b) complies with any requirements for preventing the spread of disease or infestation by pests.

- (2) A supplementary notice may specify detailed requirements relating to—
  - (a) methods that may or must not be used to prevent the spread of disease or infestation by pests; and
  - (b) record-keeping.

### **137 Treatment of diseased bees and pest-infested hives**

- (1) If a colony shows signs of disease or a hive shows signs of pests, an operator must—
  - (a) treat the diseased colony or pest-infested hive immediately; and
  - (b) relocate the colony and the hive to a place outside of any production unit.
- (2) The operator must use a method or treatment specified in a supplementary notice to treat the disease or pest infestation.
- (3) If the method or treatment does not work, the operator may then use an acceptable input to treat the disease or pest infestation.
- (4) A hive must not be treated with an input that is not an acceptable input.
- (5) An operator must keep records of treatment given and when it was given.
- (6) A supplementary notice may specify detailed requirements relating to—
  - (a) methods or treatments for treating diseases or pests, including specifying methods or treatments that may or must not be used to treat particular diseases or pests; and
  - (b) record-keeping.

### **138 Placement of hives**

- (1) An operator must place hives in a location that—
  - (a) supports the health of the colonies; and
  - (b) does not pose a risk to the compliance of the bees or bee products with the organic standard.
- (2) An operator must keep records relating to the placement of hives.
- (3) A supplementary notice may specify detailed requirements relating to—
  - (a) the location of hives within the operation boundary, including their location in areas with appropriate seasonable foraging; and
  - (b) record-keeping.

### **139 Harvesting and extraction**

- (1) An operator must ensure that bee products are harvested and extracted in a manner that maintains their compliance with the organic standard.
- (2) The following practices are prohibited:

- (a) extracting honey from combs containing brood as part of the honey harvest:
  - (b) extracting honey from combs containing brood in comb honey production:
  - (c) extracting honey from brood chambers:
  - (d) extracting honey from frames during the time of supplementary feeding:
  - (e) removing honey or bee products by destroying the hive.
- (3) An operator must comply with the methods of harvesting and extraction specified in a supplementary notice.
- (4) An operator must keep records of—
- (a) who extracted the bee products; and
  - (b) what was extracted from a hive and when; and
  - (c) the volume of bee products extracted; and
  - (d) the hive from which each bee product was extracted.
- (5) A supplementary notice may specify—
- (a) harvesting methods that maintain the compliance of bee products with the organic standard; and
  - (b) detailed requirements relating to record-keeping.

#### **140 Smoker fuel**

- (1) An operator may use smoker fuel when handling bees.
- (2) An operator must ensure that the smoker fuel—
  - (a) is not a source of contamination; and
  - (b) is sourced from plant materials that have not been treated with substances other than acceptable substances.

## **Part 7 Processed products**

#### **141 Organic standard for processed products**

- (1) The organic standard for processed products is set out in this Part and Part 1 and includes any relevant organic standards notice.

##### *Scope*

- (2) The classes of products to which the organic standard applies are as follows:
  - (a) processed products that are intended for use as food or feed:
  - (b) processed animal hides, skins, and fibre:
  - (c) processed plant oils for non-nutritional therapies.

- (3) The organic standard applies to the handling and processing of the processed product at all steps of the supply chain up to the point of sale.
- (4) The organic standard applies regardless of whether the processed product is—
  - (a) packaged or unpackaged for sale; or
  - (b) sold individually or in bulk.

*Restriction of product by organic standard*

- (5) Unless a processed product complies with the organic standard, it must not be described as organic.

#### 142 Defined terms

In this Part,—

**agricultural origin**, in relation to an ingredient,—

- (a) means an ingredient of plant, fungal, or animal origin; and
- (b) to avoid doubt, includes an ingredient of aquacultural or wild-harvest origin

**non-organic ingredient** means an ingredient that is not an organic ingredient

**organic ingredient** means any of the following products used as an ingredient for a processed product:

- (a) a product produced in New Zealand that complies with the applicable organic standard;
- (b) a product imported into New Zealand that the operator is satisfied complies with the applicable organic standard after carrying out an assessment in accordance with regulation 121 of the Organic Products and Production Regulations 2025;
- (c) a product imported into New Zealand in accordance with an approval under section 62 of the Act

**processed product** means a product that—

- (a) contains 1 or more ingredients of agricultural origin that have been processed so that their physical properties, form, or structure are permanently changed; and
- (b) contains 1 or more other ingredients that are not of agricultural origin

**processing aid** means an input that—

- (a) is used in processing a product; but
- (b) is not present (other than in trace amounts) in the final product.

#### 143 Composition of processed products (other than grape wine or yeast)

- (1) This regulation applies to a processed product other than grape wine or yeast.
- (2) All ingredients of agricultural origin used to make the product must be organic ingredients, except as provided by subclause (3).

- (3) If the product is made from 2 or more ingredients, an operator may use a non-organic ingredient of agricultural origin in the product only if—
  - (a) the operator cannot reasonably source that ingredient as an organic ingredient (for example, it is not a viable option due to availability, quality, or time frames); and
  - (b) the combined total weight or fluid volume of all of the following does not exceed 5% of the total weight or fluid volume (as relevant) of all ingredients of agricultural origin used to make the product:
    - (i) total weight or fluid volume of all non-organic ingredients of agricultural origin;
    - (ii) total weight or fluid volume of any specified food additive, feed additive, animal nutrient, or nutritive substance used to manufacture or prepare the product.
- (4) The same ingredient must not be present in the product as—
  - (a) an organic ingredient; and
  - (b) a non-organic ingredient.
- (5) An operator must keep records of—
  - (a) the quantity of all ingredients, inputs, and any other substances used to make the product; and
  - (b) evidence that the product complies with subclause (3)(b); and
  - (c) the method, formulation, or recipe for making the product; and
  - (d) if the product is made using a non-organic ingredient in accordance with subclause (3),—
    - (i) the non-organic ingredient used; and
    - (ii) the reasons why a non-organic ingredient was needed, including why the operator could not reasonably source that ingredient as an organic ingredient.
- (6) To avoid doubt, the calculations in subclause (3)(b) exclude added salt and water.
- (7) A supplementary notice may—
  - (a) specify food additives, feed additives, animal nutrients, or nutritive substances for the purpose of subclause (3)(b)(ii); and
  - (b) specify detailed requirements relating to—
    - (i) the use of non-organic ingredients of agricultural origin in processed products; and
    - (ii) the use of organic ingredients of agricultural origin in processed products; and
    - (iii) the use of acceptable inputs in processed products; and

- (iv) the use of processing aids in processed products; and
  - (v) calculating the composition of processed products; and
  - (vi) record-keeping.
- (8) In this regulation, **specified food additive, feed additive, animal nutrient, or nutritive substance** means a food additive, feed additive, animal nutrient, or nutritive substance that—
- (a) is of agricultural origin; and
  - (b) is used in manufacturing or preparing a processed product; and
  - (c) is present in the final processed product in its natural form or in a modified form; and
  - (d) is specified by supplementary notice as a specified food additive, feed additive, animal nutrient, or nutritive substance.

#### **144 Added salt**

Salt used to make a processed product must not contain an anti-caking agent.

#### **145 Use of acceptable inputs**

- (1) When processing a processed product, an operator must only use a food additive, feed additive, animal nutrient, nutritive substance, or processing aid if—
- (a) it is essential to the preparation of the product; or
  - (b) it is essential in minimising any physical or mechanical effects on the product; or
  - (c) there is a demonstrated nutritional reason; or
  - (d) it is required by legislation; or
  - (e) there is a demonstrated technological need.
- (2) *See also* regulation 13, which sets out further requirements on the use of inputs.

#### **146 Prohibited uses**

An operator must not use an input or processing method that—

- (a) is inconsistent with the principles; or
- (b) has any of the following functions:
  - (i) reconstitutes properties that are lost during processing or storage;
  - (ii) corrects the results of negligence in processing;
  - (iii) misleads about the true nature of a product.

#### **147 Grape wine**

- (1) All grapes used to make grape wine must comply with the organic standard.

- (2) Grape juice (including concentrated grape juice and rectified concentrated grape juice) and sugar may be added in the production of grape wine, but only if—
  - (a) the grape juice or sugar is added prior to fermentation for the purpose of enrichment; and
  - (b) the grape juice or sugar is an organic ingredient.
- (3) Grape wine must be made in accordance with any requirements specified in a supplementary notice relating to—
  - (a) ingredients or inputs used to make grape wine; and
  - (b) methods and conditions of production and manufacture, including requirements relating to sulphur dioxide levels.
- (4) If an operator is unable to comply with a requirement referred to in subclause (3) due to an adverse event, the operator—
  - (a) may apply to the relevant chief executive for approval to comply with an alternative requirement; and
  - (b) must comply with the alternative requirement if approval is given.
- (5) The chief executive may decide an application for approval in accordance with any matters specified in a supplementary notice.
- (6) An operator must keep records of—
  - (a) the ingredients and inputs used to make grape wine; and
  - (b) the methods of production and manufacture used, including sulphur dioxide levels; and
  - (c) compliance with any alternative requirement if approval is given under subclause (5).
- (7) A supplementary notice may specify detailed requirements relating to—
  - (a) the making of grape wine, including by prescribing limits on—
    - (i) finished wine; and
    - (ii) ingredients and inputs used to make grape wine; and
  - (b) information required in an application for approval; and
  - (c) matters that the chief executive must consider in deciding an application for approval; and
  - (d) record-keeping.

#### 148 Yeast

- (1) Yeast that is a processed product (**processed yeast**) must be grown from yeast or yeast autolysate produced on a substrate that—
  - (a) is free from contaminants; and
  - (b) has been made in compliance with regulation 12; and

- (c) does not contain an input other than an acceptable input.
- (2) Processed yeast may contain up to 5% (measured by dry weight) of yeast or yeast autolysate produced on a substrate that does not comply with subclause (1) if—
  - (a) the operator is given approval by the relevant chief executive; and
  - (b) the use of the yeast or yeast autolysate complies with any requirements specified in a supplementary notice.
- (3) An operator who makes processed yeast must keep records of—
  - (a) yeast or yeast autolysates used; and
  - (b) the substrate that the yeast or yeast autolysate was produced on.
- (4) An operator may apply to the chief executive for approval to use yeast or yeast autolysate in accordance with subclause (2).
- (5) The chief executive may decide an application for approval in accordance with any matters specified in a supplementary notice.
- (6) A supplementary notice may specify detailed requirements relating to—
  - (a) the use of yeast and yeast autolysate produced on a substrate that does not comply with subclause (1); and
  - (b) information required in an application for approval; and
  - (c) matters that the chief executive must consider in deciding an application for approval; and
  - (d) record-keeping.

## Schedule 1

### Transitional, savings, and related provisions

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#### Part 1

#### Provisions relating to these regulations as made

#### 1 Interpretation

In this Part,—

**appropriate certification body** means any of the following:

- (a) AsureQuality Limited;
- (b) BioGro New Zealand Limited;
- (c) Organic Farm New Zealand Incorporated

**commencement** means 31 March 2028, which is the date of commencement of these regulations

**Hua Parakore verification system** means the verification system by that name that is administered by Te Waka Kai Ora Incorporated

**specified standard** means the most recent version of any of the following:

- (a) AsureQuality Organic Standard;
- (b) BioGro Organic Standard;
- (c) IFOAM Standard for Organic Production and Processing;
- (d) New Zealand Standard NZS 8410:2003 Organic Production;
- (e) the Ministry for Primary Industries Official Organic Assurance Programme—Organic Export Requirements.

#### 2 Application of organic standards

- (1) The organic standard for plants, plant products, and fungi applies to—
  - (a) plants and fungi after commencement; and
  - (b) plant products produced after commencement.
- (2) The organic standard for wild harvest applies to products wild harvested after commencement.
- (3) The organic standard for livestock applies to—
  - (a) livestock after commencement; and
  - (b) livestock products harvested or collected after commencement.
- (4) The organic standard for aquaculture products applies to products harvested or collected after commencement.
- (5) The organic standard for bees and bee products applies to—

- (a) bees after commencement; and
  - (b) bee products harvested or collected after commencement.
- (6) The organic standard for processed products applies to—
- (a) wine if the step of crushing occurs after commencement; and
  - (b) processed products (excluding wine) if the first day of the first step in processing occurs after commencement; and
  - (c) imported products that arrive in New Zealand after commencement.

### **3 Ingredients certified to certain standards treated as organic ingredients until 31 March 2033**

- (1) This clause applies to an operator who makes a processed product.
- (2) The operator may use an ingredient described in subclause (3) as if it were an organic ingredient for the purpose of regulation 143 or 147.
- (3) The ingredients are—
- (a) an ingredient that, before commencement, was certified by an appropriate certification body as meeting 1 or more specified standards; or
  - (b) an ingredient that, before commencement, was verified by Te Waka Kai Ora Incorporated as meeting the requirements of the Hua Parakore verification system.
- (4) This clause ceases to apply on and from 31 March 2033.

### **4 Conversion periods do not apply to certain products**

A conversion period prescribed in an organic standard does not apply in relation to a product if, on commencement,—

- (a) an operator is producing or processing a product described as organic; and
- (b) 1 or both of the following apply to the product:
  - (i) the product is certified by an appropriate certification body as meeting 1 or more specified standards;
  - (ii) the product is verified by Te Waka Kai Ora Incorporated as meeting the requirements of the Hua Parakore verification system.

### **5 When partially completed conversion periods may be taken into account**

- (1) This clause applies to a product to which an organic standard applies if,—
- (a) before the commencement of the organic standard, the product underwent a conversion period (the **first conversion period**) that applied to it under—
    - (i) a specified standard; or
    - (ii) the Hua Parakore verification system; and

- (b) on the commencement of the organic standard, the product did not complete the first conversion period; and
  - (c) the requirements of the first conversion period are reasonably equivalent to the conversion period required under the organic standard.
- (2) The duration of the conversion period required under the organic standard must be reduced by the period that the product underwent the first conversion period.

Rachel Hayward,  
Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations but is intended to indicate their general effect.*

These regulations, which come into force on 31 March 2028, are made under the Organic Products and Production Act 2023 (the **Act**). These regulations prescribe the organic standard for—

- plants and plant products:
- wild harvest:
- livestock and unprocessed livestock products:
- aquaculture products:
- bees and bee products:
- processed products.

The organic standard that applies to each of the above products commences on 31 March 2028. This means that, from that date, a person selling or marketing the above products (other than an imported product) must not describe the product as organic unless the product complies with the standard (*see* section 11 of the Act).

A more detailed description of the classes of the products to which an organic standard applies is set out in the standard.

### Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 8 March 2023 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mpi.govt.nz/dmsdocument/58411-Proposals-for-regulating-organic-businesses-in-the-primary-sector-Regulatory-impact-statement/>

- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/regulatory-impact-statement-proposals-for-regulating-organic-businesses-in-the-primary-sector/>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 18 September 2025.

These regulations are administered by the Ministry for Primary Industries.