



Notification:	2101
Date:	3rd February 2021
Category:	Certification Body Guidance
Title:	Domestic Only Drought Derogation Phase Out

Background

Australian Organic Limited (AOL), as owner of the Bud Organic Scheme and the Australian Certified Organic Standard (ACOS), made available a Derogation from the normal requirements of the ACOS, related to feeding requirements for certified organic livestock, in light of extensive and ongoing drought in large parts of Australia leading to an exhaustion of supplies of organic grain for livestock feed.

Despite our recommendation to the Department of Agriculture, Water and Environment (DAWE) at the time, and despite many trading partners allowing similar exceptions in exceptional circumstances such as drought, no such allowance or exception was issued by DAWE relating to the National Standard for Organic and Bio-dynamic Produce, and as a result, any livestock products derived from livestock fed additional non-organic feed would not be eligible for export as organic, under the Export Control Act (1982).

In recognition of the dire need for action to support Australian Organic livestock producers, a Derogation was made available by AOL, to Bud certified operators, which was clearly stipulated via our licensed Certification Body (CBs) that such produce would be eligible for domestic organic sales only, and not eligible for export as organic.

Several certified organic livestock operations received Derogation approval from their CB for the use of up to 25% of daily dry matter intake to be from non-organic sources, provided it was verified to be non-GMO, and free from pesticide residues.

In light of changed weather conditions in many parts of Australia recently, and the conclusion of the winter cropping season, a thorough assessment of the appropriateness of maintaining the Domestic-only Drought Derogation has recently been conducted.

Considerations

- Many parts of Australia have experienced significant rainfall over the last 3 months. However, many areas are still experiencing drought conditions, in some cases - severe.
- Weather conditions have allowed significant winter grain crops to be harvested in NSW, both conventional and organic.
- Weather conditions in much of Qld have remained dry, with limited organic winter crops harvested.
- The majority of Qld remains drought declared, as per Qld Department of Agriculture and Fisheries update on 1st December 2020.
- The vast majority of NSW is no longer drought declared, as per NSW Department of Primary Industries update on 1st February 2021.
- DAWE announced the establishment of an Organic Industry Advisory Group on 18th December 2020 to investigate the creation of a nationwide regulatory framework for the production and sale of organic products. There exists a real possibility that the National Standard becomes mandatory for



application within Australia, in line with the export requirements, and therefore it will be important for operators that have been utilising the Derogation to be ready for this change.

Consultation

In addition to AOL keeping abreast of weather conditions and organic grain availability, as well as maintaining regular contact with Federal and State Departments of Agriculture, AOL contacted every certified organic operator issued with a Derogation approval during December 2020, to help AOL fully understand their situation as it relates to drought and feed availability.

Direction

Given the significant change of fortune regarding weather and the large winter grain crop in NSW, the use of up to 25% non-organic feed by NSW based organic livestock operators is required to be phased out by 30th April 2021. Accordingly, no new applications from NSW based operators can be accepted by CBs from the date of this Notification.

Given the ongoing drought conditions and impeded organic feed availability in Qld, the use of up to 25% non-organic feed can continue for operators holding a specific Derogation approval from their CB. This situation will be re-assessed during March 2021. New applications can be accepted and assessed on a case-by-case basis by the CB.

Reminder

Any products derived from livestock utilising the Domestic Only Drought Derogation may only be sold as organic on the domestic market and may not be exported with an organic trade description on labels, or any associated marketing material or documentation.

Produce such as milk or eggs derived from livestock utilising the Derogation may be exported as organic following 6 months of the source livestock being fed on a fully organic diet, in line with the National Standard, subject to approval from the CB.

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