



Control and Certification

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SANA,

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The Review of legislative and political framework for organic production

- Impact assessment followed by legal proposal and/or action plan

Contributing to Impact assessment:

- Report to the European Parliament and to the Council on the application of Council Regulation (EC) N° 834/2007 on organic production and labelling of organic products – May 2012
- Council opinion on the COM report to EP/Council, May 2013
- External ex-post evaluation by German Thünen-Institut led consortia, not ready yet

Impact Assessment

1. Constitution of an Inter-Service Steering Group
2. Roadmap, 2012
3. Stakeholder Hearings, Sep to Nov 12
4. Public online consultation, Jan to April 2012
5. Enlarged Advisory Group on Organic Farming, Nov 12, April & June 13 (option paper)
6. Impact Assessment report, 20 Sept
7. Impact Assessment Board, Oct
8. Proposals : Action Plan + Legislation – Spring '14
9. Co-decision: European Parliament & Council 2014-16
10. New legislation enters into force 2017

DG SANCO legislative proposal on official controls in May 2013



Co-decision procedure 2013-2014

New Legislative Proposal from DG SANCO

- DG SANCO presented a legislative proposal on official controls¹ in May 2013 to the EU Parliament and the Council. The final draft will be probably voted in Spring 2014 by the Parliament
- Art. 153 of this proposal amends the Reg. (EC) No 834/07. In practice, it is proposed that all the 14 paragraphs of art. 27 "Control System" of Reg. (EC) No 834/2007 are deleted and replaced by one single paragraph: *"Official controls to verify compliance with this Regulation shall be performed in accordance with Regulation (EC) No 882/2004"*

¹ "on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products"



Possible risks/changes^{EB4}

- Transfer of competence on "organic" controls from DG AGRI to DG SANCO,
- Possible that initiates at National level transfer of competence from the Ministries of Agriculture to the Ministries of Health.
- Implementing acts will be probably lead by DG SANCO without even involving the SCOF (Standing Committee on Organic Farming).
- Controls by Ministries of Health often focused on final products. Risk that organic controls turn into an end-product approach control (vs process-based approach)



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EB4

Today it is very difficult to make statements on the legislative proposal. Everything will be detailed in the implementing rules therefore everything could change or nothing.

Emanuele; 08.09.2013

Further considerations (1)

- Proposal published during impact assessment of regulation revision. Weaknesses in control system were main initiator for regulation review. If weaknesses will be addressed by DG SANCO proposal, then the organic regulation review makes still sense?
- New requirements amending the control system in Organic Farming will come into force in 2014 – Implementing Reg. (EU) No 392/2013 of 29 April 2013 EB5
- Even with the current legislation, a MS could decide to transfer the competences on organic farming to the Ministry of Health
- In the Reg. (EC) 834/2007 a reference to the Reg. (EC) 882/2004 is already present, but the specific aspects of organic farming are detailed in the Reg. (EC) No 834/2007 and No 889/2008



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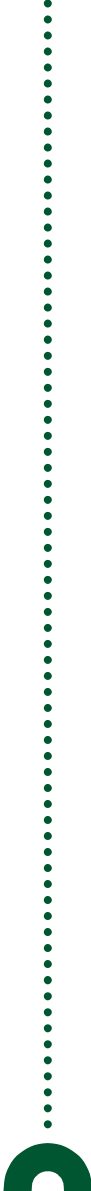
EB5

This is the new implementing regulation for which we wrote 2 official letters to unit H3 and the letter to Ciolos
Emanuele; 08.09.2013

Further considerations (2)

- The Commission reassured stakeholders that their intention is not to change the current control system but just simplify and harmonise. Therefore the system of private control bodies is not at risk. (PS - the fact that it is not their intention to change, doesn't mean that won't change)
- The Commission also guaranteed that there will be a collaboration between DG SANCO and DG AGRI for the implementing rules on "organic controls".
- The Commission publicly answered to stakeholders' doubts and concerns¹

¹http://ec.europa.eu/agriculture/organic/files/news/questions_and_answers_control_system_july_2013_en.pdf



COM options under consideration

- Improved status quo
- Market-driven option
- Principle-driven option

Principle-driven option

- to remove all exceptional rules from the organic production standard, except of catastrophic circumstances,
- to oblige organic holdings to be entirely managed in compliance with the requirements applicable to organic production,
- to put an end to the retrospective acknowledgement of conversion,
- to end the use of non-organic ingredients in processed products,
- to draft a stand-alone organic standard addressing the issue of readability and making imports possible under a compliance regime,
- to remove the possibility of recognition of control bodies for the purpose of equivalence (Article 33 (3)) (+ transition),
- to adapt the possibility of recognition of control bodies for the purpose of compliance (Article 32), notably by removing the possibility of such recognition of CBs acting in recognised third countries,
- to include measures presented in option 1, except removal of Article 32.



Principle-driven option

- Measures to reinforce the control system (as in option 1)
- Delegated Acts to reinforce the risk-based approach notably to abandon annual inspection for each operator, e.g. less frequency in inspections for low risk operators with proven clean records and concentration of controls on high-risk areas and operators,
- Introduction of an obligation of **measuring environmental performance** for non-agricultural companies,
- **Phasing out of national logos,**
- **Simplified requirements for small farmers and/or introduction of group certification,**
- Recognition of third countries for their control systems only, provided they accept to supervise the application of the EU organic standard on organic products exported to the EU.



IFOAM EU Position on Controls (2012)¹

- Liability ^{EB6}
- Accreditation
- Risk Based Inspections
- Group Certification
- Traceability and Information
- Training and Advice

¹http://eu.ifoam.org/sites/default/files/page/files/ifoameu_reg_control_position_201210.pdf



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EB6

See the summary on the briefing

Emanuele; 08.09.2013