

Organic production and labelling of organic products

2014/0100(COD) - 05/11/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Martin HÄUSLING (Greens/EFA, DE) on the proposal for a regulation of the European Parliament and of the Council on organic production and labelling of organic products, amending Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official controls Regulation] and repealing Council Regulation (EC) No 834/2007.

The committee recommended that the European Parliament's position, adopted at first reading under the ordinary legislative procedure, should amend the Commission proposal as follows:

Scope, definitions and principles: Members considered that the **principles and methods for organic production** have to be applied through the whole process of organic farming/organic production. As well as principles concerning organic production, the Regulation shall establish the principles of organic production and the **control and certification** thereof, and lay down the rules concerning organic production, processing, distribution, controls.

It shall **provide the basis for the sustainable development of organic production** and its positive effects on the environment and public health, while ensuring the effective functioning of the internal market and fair competition, thereby helping farmers to achieve a fair income, ensuring consumer confidence and protecting consumer interests.

The amendments concern the **definitions** needed to clarify provisions and positive lists for authorised substances foreseen in the annexes. They list a series of products originating from agriculture, including aquaculture and beekeeping, where such products are, or are intended to be, **produced, prepared, labelled, distributed**, placed on the Union market, or imported into or exported from the Union as organic. Caterer and restaurants should be under the roof of this Regulation.

Objectives and principles: the Regulation should not only deal with the principles, but also the **objectives** of organic farming, **processing and distribution**. The general objectives shall be pursued:

- respecting nature's systems and cycles and sustaining and enhancing the health of soil, water, plants and animals and the balance between them;
- establishing appropriate management of biological processes based on ecological systems using natural resources which are internal to the system, by methods that: (i) maintain the long-term fertility of soils; (ii) contribute to a high level of biological diversity; (iii) make a substantial contribution to a non-toxic environment; (iv) make responsible use of, and contribute to the saving of, energy and water, and preserve natural resources such as water, soil, organic matter and air; (v) respect high animal welfare standards.

Organic production shall in particular be based on the following specific principles: (i) sustaining the health of plants and animals; (ii) exclusion of food containing or consisting of artificially engineered nanomaterials; (iii) maintenance of biodiversity in natural aquatic ecosystems; (iv) production of organic livestock products derived from animals that have been raised on organic holdings since their birth or hatching and throughout their life.

General production rules: operators shall comply with the following general production rules:

- the use of animal **cloning** and the rearing of artificially induced polyploid animals is prohibited;
- **preventive measures** shall be taken as appropriate at all stages of production, preparation and distribution;
- organic operators other than microenterprises, farmers, beekeepers, retailers, and operators producing algae or aquaculture animals, shall **improve their environmental performance** so as to protect biodiversity and to contribute to climate change mitigation by means such as carbon sequestration, establishing performance targets.

Mixed farms: by way of derogation from the general rules, a holding may be separated into clearly distinct production units which are either in compliance with this Regulation or dedicated to non-organic production, provided that, *inter alia*, appropriate measures have been taken to ensure the permanent separation of products obtained from each unit concerned. Moreover, Members supported the idea that small farmers should be allowed to participate in **group certification** in order to, in particular, reduce inspection and certification costs and the associated administrative burden.

Prohibiting the use of GMOs: the use of GMOs is prohibited in organic production therefore operators should be able to prove that they haven't used non organic products which were produced from or by GMOs.

Precautionary measures to be taken to prevent non-compliance with this Regulation: the amended text provides that the operator shall take all necessary precautionary measures in order to avoid the presence of non-authorised processes, products or substances in organic production.

In the event that a control authority or a control body detects the presence of a non-authorised process, product or substance in organic production, the control authority or control body concerned shall **prohibit the placing of the product on the market** with an indication referring to the organic production method until it is satisfied that the suspicion or non-compliance has been eliminated.

Moreover, Member States shall take precautionary measures:

- in order to avoid adventitious contamination with non-authorised products or substances as a result of non-organic farming practices or other non-organic practices;
- where control authorities, control bodies and competent authorities have identified specific risks of non-compliance with this Regulation.

Products potentially contaminated with plant protection products may be considered as marketable **after examination** by competent authorities.

Database: Members suggested that the Commission shall establish a database on cases of non-compliance with this Regulation, based on national databases established by Member States. Those databases shall be used to facilitate the formulation of best practices to avoid contamination. The Member States must provide the Commission with the results of their investigations every year.

Control systems: Member States shall set up a system of controls and shall designate one or more competent authorities to be responsible for monitoring compliance with the obligations laid down by this Regulation.

The nature and frequency of the controls shall be determined **on the basis of an assessment of the risk** of occurrence and the seriousness of non-compliance with the requirements laid down in this Regulation. All operators and groups of operators shall be subject **at least to an annual physical on-site control** of their compliance with the applicable rules.

A summary report of the control activities carried out during the previous year shall be provided.

Competent authorities shall ensure, **in the event of non-compliance** affecting the status of organic products throughout any of the stages of production, preparation and distribution and export, in particular arising from the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned. In the event of repetitive, continued or fraudulent non-compliance, the competent authorities may suspend or withdraw the organic certificate as appropriate.

Trade with third countries: Members stated that there should be no difference between standards applied in the EU Regulation and standards applied for products which are **exported** to third countries.

For the regime of **imports** from third countries, the product, upon being imported, shall be accompanied by a certificate of inspection confirming that all operators and their products are in compliance with this Regulation.

However, to avoid sudden disruptions of supply on the EU market, the committee says the Commission should be able, for a **maximum of two years, to adjust import requirements** for some products which do not fully comply with EU standards, because of climate conditions, for example.

Members stressed the need for the provisions relating to Commission supervision in third countries to be strengthened. It is also important to strengthen supervision and controls in equivalence agreements with third countries.

Implementation of this Regulation: by 1 January 2020, the Commission shall establish the **necessary administrative structures** within competent Union authorities so as to fulfil its responsibilities with regard to improved harmonisation and implementation of this Regulation in Member States, specifically concerning controls within the Union and imports from third countries, and improved communication between Member States and with the Union's Institutions.