

Organic farming: organic production and labelling of the products (repeal. Regulation (EEC) No 2092/91)

2005/0278(CNS) - 29/03/2007 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament made several amendments to the proposed regulation on organic production and labelling of organic products in a report drafted by Marie-Hélène **AUBERT** (Greens/EFA, FR). However, Parliament did not vote to adopt the report, which has been referred back to the Agriculture Committee in accordance with Rule 53 of the EP's Rules of Procedure. The European Parliament wants the right of co-decision in this area, which notably covers the production and distribution of transformed commodities in the internal market.

The House voted by 585 votes to 35, with 38 abstentions, for the regulation to be made subject to the co-decision procedure, and changed the legal base to Article 95 in its amendments.

On the subject of organic farming, MEPs want stricter rules on genetically modified organisms (GMOs), and called for the maximum allowable figure for accidental contamination by GMOs to be reduced to 0.1%. This amendment was passed by 324 votes to 282, with 50 abstentions.

The key amendments were as follows:

- taking account of growing risks of contamination of organic seeds, feed and food with GMOs and in the absence of national legislation in many Member States on related precautionary measures and liability, the Commission should, before 1 January 2008, publish a proposal for a framework directive on precautionary measures to avoid GMO contamination throughout the food chain, including a legislative framework of liability rules concerning any GMO contamination based on the polluter pays principle;
- the use of synthetic plant protection products is incompatible with organic production;
- given the current diversity of cultivation and stock farming practices in organic farming, Member States should be allowed the option of applying additional, more stringent rules to organic farming on their territory;
- Member States should establish the necessary legislative framework, based on the precautionary principle and the polluter pays principle, to prevent any risk of the contamination of organic products with GMOs. Operators should take all necessary precautionary measures to prevent adventitious or technically unavoidable contamination with GMOs. The presence of GMOs in organic products should be confined exclusively to adventitious and technically unavoidable quantities not exceeding 0.1 %;
- the import rules for organic products should be considered as a model for qualified market access, giving third country producers access to a high value market, provided that they respect the standards of that market;
- the powers conferred on the Commission under the Regulation should therefore be exercised in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468 /EC, rather than the Management procedure as the Commission had proposed;

- several definitions were amended and there were a number of new definitions, including "operator ", "green manure ", "veterinary treatment " and "synthetic";
- the **objectives of the Regulation** are: (a) to enhance the sustainable development of organic farming systems and the whole organic food and feed chain; (b) to ensure the functioning of the internal market for organic products and fair competition between all producers of organic products; (c) to establish reliable rules for organic production systems, including on inspection, certification and labelling;
- only living organisms and mechanical production methods shall be used, the use of synthetic materials and production methods involving synthetic materials being permitted only in accordance with the Regulation. Biological and mechanical production methods shall be preferred to the use of external inputs like synthetic materials. The Commission had proposed a looser form of wording;
- the regulation should also cover the catering industry (take-aways, canteens, restaurants and similar service providers) as well as products such as wool, preserved fish, cosmetics, food supplements and essential oils. Moreover, apart from the production, processing, packaging and labelling of products, the new rules should also cover conditioning, preparation and storage;
- the wording of Article 4 ('Overall principles') was tightened up so as to specify that GMOs and products produced from or with GMOs shall not be used in organic production. The exception to this rule in the case of veterinary medicinal products, as proposed by the Commission, was deleted. Ionising radiation may not be used, and accidental contamination due to proximity to GMO production areas must be avoided. There shall be no hydroponic crop production or other form of crop production without soil or livestock production without soil. Organic production shall maintain and create employment, enable farmers and consumers to establish a social compact for sustainable practices, quality food production and consumption patterns, including a combination of measures for nature conservation, sustainable production and short-distance marketing;
- where farmers or any other providers of organic produce use products purchased from third parties to produce organic food or feedstuffs, they must require the vendor to confirm that the products supplied have not been produced from or by GMOs and do not contain or consist of GMOs .In the case of an adventitious or technically unavoidable contamination with GMOs, operators must be in a position to supply evidence that they have taken all necessary steps to avoid such contamination;
- a number of amendments laid down stricter rules for the use of plant-health products and veterinary treatments as well as national derogations thereto;
- a new clause states that meat and bone meal shall not be fed to food producing animals;
- at least 95%, by weight, of the ingredients of agricultural origin of the product shall be organic when they are incorporated; however, specific rules shall be laid down for products containing more than 5% fish, seaweed, wine or vinegar;
- on labelling, MEPs said that, in the case of processed products, the terms for the labelling of organic products may only be used where in the product designation and labelling, at least 95% by weight of the ingredients which are of agricultural origin are produced organically and all essential ingredients are produced organically; and in the list of ingredients, the information about the organic ingredients is imparted in the same way and using the same colour and font size and style as the other information in the list of ingredients. These products shall not bear a logo indicating organic production;
- the Community organic production logo should be compulsory on products covered by the regulation and should constitute the main identifying symbol for organic products throughout the EU. The labelling

indication EU-ORGANIC, as proposed by the Commission, may be confusing for consumers, leading them to believe that the product originates in the EU (even though it may come from a third country which complies with EU standards), and should therefore be replaced by the term ORGANIC;

- Member States shall in all cases ensure that the system of controls set up allows products to be traced at every stage of production, preparation and distribution, so as to give consumers a guarantee that organic products have been produced in compliance with this Regulation;

- the recognised control bodies or control authorities shall provide assessment reports issued by the accreditation body or, as appropriate, the competent authority on the regular on-the-spot evaluation, surveillance and multi-annual re-assessment of their activities. These assessment reports shall be published on the Internet;

- on the basis of these assessment reports the Commission, assisted by the Member States, shall ensure appropriate supervision of recognised control authorities and control bodies by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of the occurrence of irregularities or infringements of this Regulation;

- the competent national authorities shall be involved in the process recognising inspection and certification bodies. Importing operators shall send them certificates of all import activities. They shall establish a public Community database on imports;

- the competent national and Community authorities may conduct random on-the-spot checks of the inspection and certification bodies.