IFOAM EU DOSSIER on the
REVIEW of the Legal and Political Framework for ORGANIC Farming
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Contents

1 Summary 1
2 Introduction and background 2
3 General considerations on process and options developed by the Commission 2
4 IFOAM EU Group Core Messages 4
5 IFOAM EU Group Recommendations 6
   5.1 Organic Regulation 6
   5.2 Organic Action Plan 10
6 Risk assessment of elements in options presented by the European Commission 14
   6.1 Remarks on elements within key options: No action; Improved status quo; Quantity driven; Quality driven 14
   6.2 Other options considered by the Commission 28

1. Summary

This dossier collects general and specific opinions and recommendations on the input assessment currently ongoing within the review process of Reg. (EC) 834/2007. It also includes IFOAM EU positions relevant to the process. In addition to the legislative process, high priority must also be given to the preparation of a new EU Organic Action Plan and to updating the implementing regulations for organic food and farming (Reg. EC No 889/2008 and No 1235/2008).

Recommendations for organic regulation
1: Increase efficiency of controls
2: Harmonize pesticide residue management
3: Flexibility is an important tool
4: Increase Environmental Performance of organic industry
5: Harmonize organic and horizontal labeling requirements
6: Facilitate international trade based on high level of integrity
7: Extension of scope: need for protection of the term "organic"
8: Organic certification system guarantees GMO free food

Recommendations for EU Organic Action Plan
1: Consider the strategic role of organic production for the future and ensure support by horizontal and cross cutting legislation
2: Make organic a core measure in the reformed CAP and within the rural development programmes
3: Better integration of organic food in EU promotion measures & public procurement
4: Use untapped potential of organic Innovation
5: Improve harmonization for better availability Organic Data/Statistics
6: Improve general legislation to protect organic from GM contamination
2. Introduction and Background

The aim of this dossier is to provide IFOAM EU Group input relevant to the ongoing review of Organic Regulation (EC) No 834/2007 started in 2012. IFOAM EU focuses its input on the possible legal proposals to amend the current Regulation and the envisaged new EU Organic Action Plan scheduled to be submitted by the Commission to the European Parliament and the Council at the end of 2013. The Commission has prepared for the Advisory Group on Organic Farming on 11th April 2013:

- An Issues Paper presenting the state of play of EU organic farming policy with an analysis of the underlying problem and the driving forces and objectives of the policy;
- A definition of different policy options, that must be related to the objectives, and proportionate;
- An analysis of the key features of three of the policy content options.

Three of the proposed policy options (“Improved status quo”, “Quantity-driven option”, “Quality-driven option”), along with a fourth option of “No new EU action”, were presented as part of the Commission’s process of consultation.

At the Advisory Group on Organic Farming meeting, introduced by Commissioner Cioloș (who underlined the importance and relevance of organic food and farming for the EU with regard to policy, regulation and innovation), discussion focused on the needs and objectives for regulatory change in the context of CAP and innovation policy. The Commission stated that stakeholders had a two-week period to submit written comments on the proposed policy options to inform the finalisation of the Impact Analysis by the Commission. In this context IFOAM EU wishes to provide herewith its input and highlight the regulatory improvements that we believe would enable the organic sector to continue to develop (in line with a new Organic Action Plan) so it is better able to meet EU, regional and national policy objectives for improved rural development, social and cultural, environmental, food quality and animal welfare outcomes of food and farming systems.

3. General considerations on process and options developed by the Commission

The ongoing review and impact analysis, which will ultimately result in development of the EU organic regulation and the future policy framework, must be set in the context of the ongoing development of the sector. IFOAM EU Group believes that we need to consolidate the progress to date and enable a coordinated and coherent response to the current demands of European food and farming policy (e.g. CAP, Horizon 2020, European Innovation Partnership) and the needs of an expanding organic sector that is already providing many public benefits.

Regulation (EC) No 834/2007 provides the framework for organic food and farming in the European Union and could better enable other horizontal legislation to be effectively implemented. The potentials given in the aims, objectives and principles of reg. (EC) No 834/2007 today are not fully exploited. In order to maximise this opportunity, some focused improvements are clearly needed. However IFOAM EU Group highlights the fact that many of the challenges and opportunities for the organic food and farming sector in Europe and beyond are subject to the implementing rules (Reg. EC No 889/2008 and No 1235/2008), in these areas, progress can be made in a relatively short time frame (since they are not subject to the complex requirements of changing council regulations.

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The EU Commission has outlined Quality and Quantity driven options in the consultation documents\(^3\). IFOAM EU Group emphasizes that the preservation and improvement of the quality of organic farming and food production has always been the driving force for the development of organic standards and practice in the developing sector. The current EU Regulation on organic farming is basically and ultimately a result of this. Defining ‘process quality’ ensures the high environmental performance, public goods delivery and food quality benefits on the one hand, and consumer’s trust in organic products on the other. But the quality driven goals behind the legislative framework are not in contradiction with the aim of the organic sector to grow significantly, as happened the past ten years and will happen the coming decades if the legal framework keeps stable and trustworthy for the actual and potential organic farmers and processors. The split between a quality and quantity option therefore is a dangerous proposition that suggests that it is either the one way or the other. There is a need for a right balance between high quality and continuing growth.

IFOAM EU Group considers that the proposed policy options presented by the EU-Commission (in the table\(^3\)) are not consistent as regards the driving forces. Each of the options provides, in the bullet points, many good ideas for the further development of the regulation (including, inter alia, the implementing rules) and the organic standards that give life to the many qualities of organic food and farming. Consequently, the IFOAM EU Group proposes a focused improvement of the existing regulation including elements of each of the proposed policy options such that a consistent package of measures can be developed that can pave the way for a further improvement of the process quality based approach of organic farming and food production.

IFOAM EU Group further suggests that the impact analysis can only be concluded, and the final selection of policy options that will lead to legislative change be defined, in the light of the ongoing review process. This should be guided by a clear strategy defined in an organic action plan to be prepared as the conclusions of the process of CAP reform become more clear. IFOAM EU Group would be happy to participate in this process.

IFOAM EU Group recognizes that the current regulation contains important obstacles to the capacity of organic food and farming to respond to present and coming challenges – thus we need to see options that can be subjected to a realistic impact assessment. IFOAM EU Group is happy to provide any further input, if requested, to developing viable options for a way forward.
4. IFOAM EU core messages

Focused improvement of the organic regulation within the existing legal framework: IFOAM EU acknowledges the need for focused improvements, but believes that these must be based on the significant achievements of the current regulation including the common adoption within the EU of the aims, principles and objectives of the whole sector. IFOAM EU’s priority is to provide recommendations for focused improvements (as outlined in our Recommendations) without substantially changing the legal framework.

New EU Organic Action Plan: To enable the continued development of the organic food and farming sector, and in order to exploit the public goods and services the sector can deliver to society, there is a need for an EU Organic Action Plan with clear objectives in line with the emerging CAP (both under Pillar 1 and Pillar 2 and including rural development measures), Horizon 2020 and the European Innovation Policy. The Organic Action Plan would outline the strategic role that organic food and farming should play and link with cross cutting and horizontal legislation and political initiatives beyond the organic regulation.

We make these proposals and recommendations in the light of the following considerations that we believe should ideally frame the further work by the EU:

- **The achievements of the regulation 834/2007 and the implementing rules should form the basis for further development**
  IFOAM EU strongly recommends that any review of the organic regulation must be based on the achievements of the current regulation (EC) 834/2007. The aims, objectives and principles of current Council regulation and the experiences gained with the application of the revised organic regulations are a solid basis for further improvement of the organic regulation. The possibilities established within regulation (EC) 834/2007 are not fully explored today. All overall the current legal basis provides a robust framework that allows a growth of organic farmed land and market that can be currently observed even in times of financial crisis. It should be considered that an existing legal framework is a value in itself and should only be changed with very good reasons. For the trust of the existing organic farmers and companies and potential new operators to become active in organic a robust legal framework is essential for further growth and expansion of organic agriculture & food production. Therefore it should be investigated very carefully whether major changes in the systematic of the legal frame work is necessary to provide identified needed improvements or whether the needs could be solved within the existing legal framework. A complete revision of regulation (EC) 834/2007 runs the risk to harm the growth of organic food and farming because it would result in uncertainty about the state of play and the future for organic operators and operators considering a conversion to organic production as for consumers committed to organic products. It should be considered that a major revision has taken place from 2005 to 2009 resulting into regulation (EC) No 834/2007 and its implementing rules. Agriculture and food production are peculiar sectors. Investments lead to profits in the very long-term period and major change in too short periods can be counter productive.

- **The process approach to organic quality definition and certification should be maintained and strengthened and the EU organic regulation further developed with regard to quality and integrity, so that it can be an effective tool to move all organic practice closer to its aims and principles**
  Organic quality is from the beginning defined by a process approach which is a core value of organic production and part of its identity. Most of process criteria as they are established within organic regulations worldwide are guaranteed by checking the practical implementation in audit visits. Most of the criteria cannot be verified by analytical methods. Analytical methods can play a role as an investigative control instrument for verifying the fact if specific process
criteria are fulfilled or not. Other investigative control tools like traceability checks, deep evaluation of documentary accounts and cross checks have, depending on the subject, the same relevance as analytical methods for the verification of process criteria. If the sector is trained to verify the organic integrity of a product by analytical methods based on thresholds, market access will be established by those findings and not by compliance with process criteria of the organic regulation. This would turn the organic process quality approach into the direction of an “(end) product” approach. Focused improvements of the control system therefore could be made in Reg. (EC) No 889/2008, but this review process does not cover the implementing regulations.

- The heterogeneity and diversity within EU with regard to climate, structure and level of development of the organic food and farming sector are critical factor that impact on development.
  Further development of the EU regulation towards its aims, objectives and principles as defined in Reg. (EC) No 834/2007 is possible through a definition of the level of flexibility.
  In addition to the existing flexibility rules based in Reg. (EC) No 834/2007, flexibility must go in two directions: (1) flexibility as an opening for member states to give derogations if/when the common EU organic regulation develops further in order to keep the status quo for a longer time and (2) flexibility (improved standards) that allows members states to adopt standards that go beyond common EU organic standards.

- A new EU organic action plan to link the organic regulation to other policies within the Multiannual Financial Framework
  IFOAM EU Group fully supports the update of the previous EU organic action plan linking organic production with horizontal and cross cutting legislation and policy initiatives in the new Multiannual Financial Framework (2014 - 2020). Actions from the current organic action plan are either executed or obsolete and therefore a new plan is needed. It should be emphasised that organic production delivers also to the objectives of the new policy framework & EU 2020 strategy: protection of biodiversity, soil and water, animal welfare, development of rural areas & local food chains, multifunctional agriculture, long term food security, resource sufficiency and that an organic food and farming system is the model for a sustainable agriculture and food production in the future. Organic has potential of 15-20% market share in mid-term future. All over Europe demand for organic products considerably exceeds the supply so that a strong policy for fostering organic farming is needed. IFOAM EU recommends to set a clear aim for organic production to reach by 2020/2030.
5. IFOAM EU Group Recommendations

5.1 Organic regulation recommendations

Recommendation 1: Increase efficiency of controls

The Organic Regulation is already the strictest standard for sustainable food production and organic farms and companies are already much more controlled than conventional ones by certification bodies and competent authorities. Potential risks for the consumers by non-compliances in organic products are in most cases misleading claims and normally not “risks” and/or “hazard” as defined in Reg. (EC) No 178/2002 threatening the health of consumers. These food and feed security issues are topics for horizontal legislation. Nevertheless amendments to increase the efficiency of controls, the transparency and the traceability of organic products should be done on the basis of the current regulation, along with horizontal legislation and accreditation norms. These amendments should be tackled mainly in the implementing rules. The main challenge is efficient implementation. Furthermore the control concepts of auditing and certification must be clearly distinguished from the investigative control approach. All control concepts must consequently be based on the process oriented quality approach as set up in organic regulation (EC) No 834/2007.

The Regulation (EC) No 834/2007 was established in a way that the operators are responsible for their activities. Duplication of requirements should be avoided. It is recommended that points included in ISO 17065 should be stressed and reiterated to Control Bodies by Competent Authorities and Accreditation Bodies where they are not being complied with, but they should not be duplicated in legislation.

Recommendation 2: Harmonise pesticide residue management

It is essential to keep in mind that organic legislation is structured as legislation for a process-based agriculture and food processing quality system along the food chain. In the discussion about the need for harmonization in this topic, it could be a mistake to transform a more or less privately developed action level into a strict decertification level. Organic is holistic approach offering much more quality efforts than simply the absence or presence of residues under or above a certain level. For this reason it is not appropriate to reduce organic quality and control to the investigation regarding pesticide residues. Analyzing of substances can be among other control tools for some production criteria a helpful tool to verify process information. On the other hand, clear, harmonized guidelines as presented by IFOAM EU in August 2011 (updated on March 2012) on the management of pesticide residue contaminations in trade of organic products are important, especially after 1.1.2014, when the still not published change for Reg. (EC) No 889/2008 regards control requirements (including a minimum of samples) will be in force. This would help the organic sector to assure and develop organic quality where there is ignorance, and can help to prevent the downfall of organic integrity where fraud is the case.

Recommendation 3: Flexibility is an important tool

Harmonisation is a general aim which is needed where problems with unfair competition can be expected. However certain flexibility is for more reasons needed. There is a huge difference in level of development within organic food and farming at member state level and there is a huge range of environment, culture and structural conditions present among the member states. Therefore, the existing exceptional rules are still needed today (because e.g., climatic, geographical or structural constraints, lack of organic animals, of organic protein feed, of organic seeds, catastrophic circumstances) and some of them, like exceptional rules for climatic circumstances, will never be phased out completely.
Flexibility is as well needed as a tool to make it possible to develop the regulation further. Member states with organic farming at a very infancy state are not yet ready to develop the EU organic regulations any further right now, whereas those countries that have a well-developed organic sector need to take the next step to get even closer to the aims of organic production. The enlargement of EU is making the call for more flexibility even more urgent. Therefore instruments must be provided so that some member states can progress (either by common development of the EU organic regulation or by national standards) without damaging member states where the organic sector is not yet enough developed. In this framework, the importance of national and private standards is clear, they would continue to play the role of forerunners in the development of common EU standards, in particular for new and organic-linked areas e.g. social and environmental aspects or areas that are mentioned in the aims and principles but not yet covered by implementing measures

In addition the kind of flexibility mentioned above, there is a level of details in Reg. (EC) No 889/2008 that has no influence on the functioning of the market nor the perception of organic food and farming at an European level but however does have importance at national level to avoid unintended developments. It is necessary to create room to deal with those details at national level.

Flexibility must be included in the regulation of organic food and farming in order to:

- continue some of the present exceptional rules when good reasoned for an interim period
- allow certain permanent exceptional rules when need because of climatic differences
- allow member states to give derogations if/when the common EU organic regulation develops further
- allow member states to adopt standards that go beyond common EU organic standards
- allow member states to deal with details that is irrelevant at EU level but however is needed to avoid unintended development at national level

In all situations flexibility should take place under clear restriction of criteria, controls, transparency and understanding of the reasons. Fundamental condition is to avoid any risks of market distortion and consumer confusion.

**Recommendation 4: Increase Environmental Performance of organic industry**

One concern of organic consumers is the sustainability of the organic food and farming systems. In primary production (crops and livestock) the organic requirements specified in organic standards lead to practices that aim to the sustainability of the processes e.g. by forbidding the use of mineral nitrogen fertilizers and chemically synthesised pesticides. At the processing and trading level, the organic regulation does not currently make any requirements for environmental performance. Consequently the organic Regulation should include a requirement on processors and traders to establish systems to measure and to improve their environmental performance. In practice, a simple environmental management system should be put in place by operators involved in processing (feed and food) and trading activities, based on the EMAS structure. This is a transparent solution compared to the discussed extension of the eco-label scheme to the food and drink sector.

**Recommendation 5: Harmonize organic and horizontal labeling requirements**

It is important to take into consideration the link between organic regulations and other horizontal food regulations, like food labelling. This led in some cases to inconsistent approaches and needs to be sorted out. Examples are the application of "typical product" labeling requirements and organic labeling requirements on the same product or the contradictory labeling of origin requirements in different EU legislation.
Recommendation 6: Facilitate international trade based on high level of integrity

The current system for enabling organic international trade involves three different import options (import authorisations, equivalent third countries and CBs operating equivalent standards and certification) and this results in variation in control unless the options are strictly monitored and the assessments are transparent. Therefore we recommend rather to improve the import options that are already using (import authorizations and equivalency concepts) and not to introduce a further concept.

It is essential that European importers focus on developing long-term and fair trading relationships, which, together with improved import regulations and controls, can ensure that imported organic products fulfill the principles and objectives of organic agriculture and meet consumer expectations. Nevertheless, it must be ensured that regarding all import options a sound and transparent evaluation has been made as to whether the third country standards comply with the requirements of the EU Regulation before facilitating trade in order to guarantee organic integrity, to maintain consumer confidence in organic and to prevent unfair competition.

Equivalency agreements stipulated with other big actors of the world organic market are welcome. These agreements ease the international trade of organic food otherwise prevented by an overload of bureaucracy, controls and costs.

A deep involvement of European organic stakeholders is needed before the stipulation of such agreements. This is necessary to avoid practical problems and unfair competition issues that can be identified by an impact assessment. Items of specific concern to EU consumers such as animal welfare and separation of GMOs must be clearly and openly assessed and agreed publically as part of any mutual recognition program. Equivalency agreements should consider that European Union is not only a major importer of organic raw material, but many Member States have a strong export-oriented economy.

Finally market and political reasons shouldn’t be considered more important than content, when arrangements are discussed.

Recommendation 7: Extension of scope: need for protection of the term "organic"

The protection of the terms suggesting that out-of-scope products are produced in accordance to the organic regulation is very important. Products include some herbal teas and fruit juices, pet food, mass catering, cosmetics, textiles:

- Some herbal teas and fruit juices are classified as “medicinal products” according to Council Directives 65/65/EEC and 92/73/EEC and are thus excluded from the scope of the organic regulation. These products, considered simple and traditional medicinal products should be included in the scope of the regulation.
- Pet food, falls already within the scope of the regulation, but as there are no detailed rules, there are many different national and private standards in the EU enabling certification as organic. Since pet food products are traded all over Europe, a single regulation at EU level is needed.
- Mass catering should only use the word "organic" according to national rules as there is little cross border market for mass catering, consequently a common EU standard is not required. However clear national rules should be in place, including an appropriate inspection system as laid down in Regulation (EC) No 834/2007.
- Cosmetics and textile products are outside the remit of DG AGRI (as per Article 39 of the Treaty of Rome), however, organic cosmetics and textiles are increasingly present in the market and of interest to consumers. Consequently, within the framework provided for organic under regulation 834/2007, DG SANCO (cosmetics) and DG ENT (textiles), should introduce appropriate protection of the use of the ‘organic’ description. Both products can currently be
certified as organic against widely accepted international standards. These standards should form the basis of the possible legislation or even be used as named approved standards.

There are several ways to protect the term "organic" in non-food organic products: including them in the scope (simple medicinal products and pet-food), setting standards within the scope, relying on National recognised standards (mass catering) or endorsing international existing standards (textile and cosmetics).

Recommendation 8: Organic certification system guarantees GMO free food.

The use of GMOs in organic production contradicts the principles of organic farming and the philosophy of the organic movement. Therefore, the use of GMOs in the whole chain of organic production and processing is forbidden by the Organic Regulation (EC) 834/2007 and products labeled as containing GMOs cannot be sold as organic. Article 9 of Council Regulation (EC) No 834/2007 (prohibition of GMO) is generally well applied within the organic sector. Nevertheless the whole organic sector is facing severe problems to keep the production chains free of GMO contamination as horizontal GMO legislation does not sufficiently protect GMO free agriculture and food production. The organic sector has thus set up well working instruments along the organic production chain to exclude from organic production GMO's or products produced "from" or "by" GMO, but it is not justifiable that costs for these instruments have to be carried by the GM free food sector. Therefore, it must be pointed out that the real problem lies in the horizontal legislation on GMOs like Regulations (EC) No 1829/2003 and No 1830/2003, on which the implementation of article 9 depends and which is essential for the organic sector. (see also recommendation 6 under point 4.2)

Therefore the IFOAM EU believes that the problem with regulation GMO’s does not lie in the current organic regulation and opposes any attempts to set up specific threshold is for organic farming.
5.2 Recommendations for new EU organic action plan

Recommendation 1: Consider the strategic role of organic production for the future and ensure support by horizontal and cross cutting legislation

Organic food and farming has a role to play that is beyond the organic hectare share of organic land in EU and the fulfillment of perceptions from consumers. The system of organic food and farming is the only sustainable food and farming concept regulated at EU level and delivering urgently needed public goods like protection of biodiversity and water or less climate gas emissions. Therefore it has to play a major role in society and the political and legislative framework. Creative competition between organic systems and integrated or conventional systems can lead to innovation and improved sustainability in all food systems. In many countries organic production has brought to light the need to consider environmental, consumer and social concerns in food systems, stimulating public discussion of the issue, raising awareness and changing expectations. The result has been increased pressure for sustainability across different non organic food production systems.

Inherent organic production concepts and restrictions drive innovation, making organic systems into creative living laboratories for smart and green innovations. The organic sector has already generated a multitude of useful new practices for sustainable agriculture – and it will generate more. For example, organic systems can only use a very limited amount of inputs compared to conventional food systems. As a result, organic science has developed a rich knowledgebase of natural methods, e.g. for pest control. Organic systems are modern production systems that integrate new agricultural and agro-ecological technologies wherever and whenever appropriate. Technologies which represent potential risk for the health of human beings or the environment, however, are approached on the basis of the precautionary principle. This means that organic systems offer a low-risk alternative to other more risk-orientated food systems. This is of particular value for policymakers in providing a range of options which can be assessed and compared in order to identify optimum solutions in the future. Organic production has still huge potential for further development. If its performance is considered relative to investment, the sector is already extraordinarily successful: it can be estimated that organic production has received less than one percent of the research funding and/or subsidies invested in industrial food production.

Modern food production’s dependence on fossil fuels and other inputs with limited availability such as phosphorus is becoming more and more a point of relevance, not only because of climate change. Research for the EU’s Quality Low Input Food Program has warned that wheat yields could be more than halved by the end of the century as the world’s phosphate supplies run out. The avoidance of these inputs on organic farms is one of the reasons why their energy use is generally lower. Experts call for ‘transition farming’ practices which will make agriculture less dependent on external inputs, particularly fossil fuels, and which will increase the efficiency of resource usage and nutrient cycles. Developing such practices will be a critical task for this century. Organic production can facilitate progress towards low-carbon and resource efficient food systems. The ban on nitrogen that is synthesized with an enormous input of fossil fuels and its replacement by leguminous and organic nitrogen reduces CO2 emissions considerably, and a core principle of organic systems is to work within closed cycles.

Recommendation 2: Make organic a core measure in the reformed CAP and within the rural development programmes

Demand for organic products in the EU is much higher than supply of organic production, and the organic market is continuously growing despite the economic crisis. Nevertheless, the land area managed under organic rules in the EU is lacking behind the organic market growth since many years.
The study "Use and efficiency of public support measures addressing organic farming" (Sanders et al. 2011) shows that farmers can be encouraged to convert to and maintain organic farming when a comprehensive set of measures is provided to support this process, such as training and advisory facilities, access to markets and support of marketing as well as payments for the delivery of environmental public goods. Important is also a political climate that is in general supportive of organic farming and creates confidence in political stability.

Within the ongoing CAP reform, organic has been for the first time recognized also under pillar 1 by making organic certified farmers automatically eligible for "greening". Moreover, organic farming support became an article on its own in the rural development programmes. As organic farming has a high potential to deliver to the objectives and priorities as formulated in the rural development regulation, it is no of utmost importance that the opportunities given are fully used in the implementation of the CAP:

- greening under the 1st pillar and support of environmental measures under pillar 2 must be combined in an effective way and the CAP budget must be used efficiently to raise the environmental performance of all farmers and to extend schemes that deliver highest environmental performance and specific environmental services under article 29 and 30 of EAFRD regulation
- a significant part of the CAP budget (=no shifts from pillar 2 to pillar 1) in general and of the Rural development budget (=minimum of 25% as suggested by Commission and Parliament) is ringfenced on EU level and dedicated on national/regional level for organic farming and agri-environment-climate measures to drive sustainability in rural areas, member states should be encouraged to go beyond the EU wide minimum requirements
- comprehensive support of organic farming in pillar 2 must not be limited to article 30, but other measures that are crucial for the development of the sector - such as investments, advisory, cooperation, European Innovation Partnerships, quality schemes - must be clearly recommended by the Commission and used by member states to unlock the potential of organic farming for sustainable food production and development of rural economies

The overall political and legislative framework has to be oriented in fostering organic farming as a model of future farming, promoting the sustainable use of natural resources and production of high quality food. This needs to be addressed in the Common agricultural policy, but also in other policies with direct impacts on the development of the food and farming sector (see also recommendation 4 on innovation).

**Recommendation 3: Better integration of organic food in EU promotion measures & public procurement**

A new promotion campaign on organic products is needed, also due to the new organic logo that is not well known yet - at least not by occasional organic consumers. Furthermore, support for the marketing of organic products is one important way to assist production and consumption of organic products. The most important component is effective consumer education, information and awareness-raising. Promotion campaign to invite farmers to convert to Organic Farming is also needed. Another priority should be to promote best practice examples with Green Public Procurement guidance. Organic public procurement is an effective way to enhance the development of this production method. We recommend including an action to increase the use of organic ingredients and organic meals in the canteen of the European Commission and other EU institutions and public institutions in the member states. For example, the Danish organic action plan target is 60% of organic food in all public canteens.

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5 see: IFOAM EU Group (2010): Organic food and farming - a system approach to meet the sustainability challenge
6 See also: IFOAM EU Group (press release, 2013): CAP trilogues must lead to a greener and fairer CAP
Recommendation 4: Use untapped potential of organic Innovation

The EU discusses currently future research and innovation policy. The potential of organic food and farming is according to many think tanks about 15-20% of the total agri-food sector. Therefore 15% of EU research on agriculture and food should be specifically earmarked for different innovation programs for organic food and farming, in particular under the EU framework Horizon 2020, but also within the frame of the European innovation ships and transnational and national research programs. Particular emphasis should be given to the fact that in the future EU framework horizon 2020 the focus will be on so-called mega projects: it must be ensured that organic sector which is based on SME can fully participates in this new direction.

Organic research needs:

- Organic and conventional farming share some relevant basic research and innovation – integration of organic relevance in R & I funding
- Organic is in need of specific applied research due to its various restrictions in inputs and techniques (e.g. mechanical weeding, phytomedication and fertilization with zero input of soluble P and N). – specific organic research program needed
- Appropriate technologies for organic food processing is needed in order to fulfill the expectation of the organic consumers for foods reduced and preserved in a careful way with a minimum of additives and processing aids
- Organic Innovation not always in economic interest of industries who want to maintain external input dependency – Public investments needed.

Recommendation 5: Improve harmonisation for better availability Organic Data/Statistics

We recommend that improving data collection should be one action point of a new European Organic Action Plan. One major obstacle is that data already collected is not used due to lack of harmonisation and methodology. Therefore the harmonisation of methodology in data collection is of utmost importance - e.g. in order to use already collected data collected by authorities. Nowadays, the data collected by authorities & member states is not used in a harmonised way and the data therefore is lost or often not usable.

Easily available and up-to-date statistics are important for monitoring the market expansion of organic products and adjusting policy accordingly. Data collection should be coordinated through the data collection infrastructure already in place but should be shown separately (e.g. within import and export statistics, agriculture and food production statistics), including the tax system and general surveys for agriculture as practiced in some countries already. Wherever operators and/or certifiers are involved, they should be reimbursed for their extra efforts. Data collection costs should not be borne by organic operators but by the existing funding structures for data collection tools.

Recommendation 6: Improve general legislation to protect organic from GM contamination

As stated above we think that the organic regulation itself does not need to be adapted. However, the general legal framework must better protect organic production. Consumers in the EU clearly oppose GMOs in all food products and expect an organic product to be produced without GMO. The most efficient way to guarantee that producers can keep their products free of GMOs would be not to grow them in Europe. Several cases of contamination have already occurred within the Community due to pollination and to commingling at all stages of the food chain (seed, transport, storage and processing). These contamination cases, plus the establishment of additional quality assurance systems, have already cost the organic sector tremendous sums of money; legislation dealing with GMO contamination fails to observe the Polluter Pays Principle.

Recommendations:
• IFOAM EU Group urges for establishment of more effective protection and liability measures at the EU level, protecting operators serving a non-GMO market; non-GMO food production must continue to be possible in all Member States and regions.

• Regulation EC 2003/1829 allows exemption from GMO labeling requirements for foods and feed “containing material which contains, consists of or is produced from GMOs in a proportion no higher than 0.9 per cent [...] provided that this presence is adventitious or technically unavoidable”. It must be ensured that everyone understands that the requirement is to aim for no GM in non-GM food as in organic, and that this 0.9 per cent labeling threshold only applies where operators aim for no GM, and contamination between zero and 0.9% occurs by accident or is unavoidable, and is only used for labeling purposes in those circumstances, as enshrined in law, and is not abused as a production standard or a contamination target value.

• Protect organic farmers’ and processors’ legal rights not to be subject to any contamination, and ensure there is liability for compensation where contamination is found.

• Implement measures to ensure the companies that develop and market GMOs are fully responsible for their crops, thereby enshrining the Polluter Pays Principle.

• Implement measures that oblige the initial applicant for a specific GMO event to develop and make available validated testing methods for these organisms before release, so they can be properly identified.

• Facilitate national and regional bans on the cultivation of GMOs while enforcing the strictest possible standards for health, environmental and socio-economic risk assessment, and applying the precautionary principle in risk management. Start a political initiative facilitating access for farmers and processors to non-GMO inputs (seed, feed, processing aids and additives).
6. Risk assessment of elements in options presented by the European Commission

6.1 Remarks on elements within key options: No action; Improved status quo; Quantity driven; Quality driven

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<thead>
<tr>
<th>Description</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
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<tr>
<td>(1) No new EU action</td>
<td><strong>Principle:</strong> No policy change (&quot;Baseline scenario&quot;)</td>
<td></td>
</tr>
<tr>
<td>(2) &quot;Improved status quo&quot;</td>
<td><strong>Principle:</strong> Better enforcement of current legislation, clarification of articulation with horizontal legislation and adjustments. (<strong>In favour</strong>)</td>
<td>Focus amendments based on the current Council Regulation is the preferred way to develop the organic sector. Introduction of environmental performance at processing and trading level, clarification of flexibility and harmonisation of labelling of origin with horizontal legislation are needed. And in specific circumstances following the principles of title II, extra conditions can be set in the organic regulation of issues that are regulated in the horizontal legislation.</td>
</tr>
<tr>
<td>(3) Quantity-driven option</td>
<td><strong>Principle:</strong> Providing conditions for further market developments <strong>(against the option as package, but in favour of some aspects under this option. Improved integrity and quality must go hand in hand with market expansion).</strong></td>
<td>There is the risk to focus on market development and getting the opposite outcome: lose market because of lack of integrity and continuity. One of the suggestions in the quantity approach is a product based approach. This we reject.</td>
</tr>
</tbody>
</table>
**Quality-driven option**

**Principle:** Re-focus organic production on principles. (Against the option as package, but in favour of some aspects under this option)

Aims, objectives and principles were for the first time fixed in the current Council regulation but the advantages given by them are not fully exploited today. So in that sense we support the link to the objectives and principles. But the suggestions provided by COM can be compared to pushing the wrong buttons. It is not so bad to have transitional measures and conversion of part of the farm that is also a way to stimulate the market as a farmer may want to convert his animals and outdoor area but not yet his crop production. But the rules that have to be complied with should be firmly grounded on organic principles. That means investing more in the organic character of processing and a continuous development of annex I and II and VIII that fits organic principles and provides room for innovation. Furthermore to reach the highest aims of organic farming and production principles, a positive flexibility is the right way. Regulation should be changed in a way to support work of national and private standards on one hand and use of derogations on the other hand.

**Economic impact:** if rules can be brought back to the principles it can be explained to the consumer. A reference to the organic principles works out positively for the clarity of the rules. An orientation that re-focuses the production on principles must be done with big care to avoid that it harm the possibility for growth of organic farming because of the high costs.

**Environmental impact:** the basic principles foster a kind of food production that takes care of the environment.

<table>
<thead>
<tr>
<th>Scope</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) No new EU action</strong></td>
<td>- Live or unprocessed agricultural products including aquaculture, processed agricultural products intended for food, feed, vegetative propagating material and seeds for cultivation, yeast used for food or feed.</td>
<td></td>
</tr>
<tr>
<td>(2) &quot;Improved status quo&quot; and (4) Quality-driven option</td>
<td>• Clarify scope to avoid repeated need for interpretation on inclusion or not of products in the scope and possible use or not of EU logo (In favour)</td>
<td>Clarifications are always welcome and needed in some areas.</td>
</tr>
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<td>---</td>
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</tbody>
</table>
| (3) Quantity-driven option | • Consider guidelines on mass-catering (Action Plan) (In favour)  
• Consider guidelines on products outside the scope of 834/2007 which include organic agricultural ingredients, e.g. cosmetics (Action Plan) (In favour)  
• Consider guidelines on products outside the scope of 834/2007 which are made from organic agricultural raw materials, e.g. textiles (Action Plan) (In favour) | It should be clarified what is meant for "guidelines". Anyway the protection of the terms suggesting that out-of-scope products are produced in accordance to the organic regulation is very important. There are many ways to protect the term "organic" in out-of-scope products: including them in the scope (simple medicinal products and pet-food), making the control system as given in Reg. (EC) 834/2007 obligatory (e.g. mass catering), relying on National recognised standards or endorsing international existing standards (textile and cosmetics). |
<p>|  |  | The market for many of the out-of-scope products is quickly increasing. To regulate sectors like organic cosmetics and organic textile will protect the consumers on one hand, and will guarantee further outlet for organic farmers and producers on the other hand. |</p>
<table>
<thead>
<tr>
<th>Production standard</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) No new EU action</strong></td>
<td></td>
<td></td>
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<tr>
<td>• Harmonised EU standard.</td>
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<tr>
<td>• Exceptional production rules provided in Art 22 shall be kept to a minimum and,</td>
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<tr>
<td>where appropriate, limited in time. Specific cases and conditions for the</td>
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<tr>
<td>application of exceptions listed in Regulations.</td>
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<tr>
<td>• Parallel conventional production on organic farms is prohibited (Art 11), but</td>
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<tr>
<td>possibility to run a holding with organic and conventional production under some</td>
<td></td>
<td></td>
</tr>
<tr>
<td>conditions.</td>
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<td></td>
</tr>
<tr>
<td>• Holdings must undergo a conversion period (Art 17). Retrospective recognition</td>
<td></td>
<td></td>
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<tr>
<td>possible under specific conditions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>(3) Quantity-driven option</strong></td>
<td>1) No IFOAM EU position.</td>
<td></td>
</tr>
<tr>
<td>• Stand-alone organic standard (not in the Articles of the Regulation)</td>
<td>2) Exceptional rules are still needed. Please read recommendation 3, from which it</td>
<td></td>
</tr>
<tr>
<td>• Include current long-lasting exceptional rules granted by Member States (MS) as</td>
<td>appears that interim as well as permanent ones can be necessary.</td>
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<tr>
<td>provisions in the EU Regulation (Against)</td>
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<tr>
<td></td>
<td>Including all current long-lasting exceptional rules would have a negative impact</td>
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<td></td>
<td>at consumers’ perception level. The organic system should be in continuous</td>
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<td></td>
<td>development to get closer to its principles, aims and objectives.</td>
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<td></td>
<td>Furthermore investments and efforts of operators willing to overcome these</td>
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<td></td>
<td>exceptional rules would be frustrated if all exceptions were made permanent.</td>
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</tbody>
</table>
### (4) Quality-driven option

- Stand-alone organic standard (not in the Articles of the Regulation)
- Remove exceptional rules from the organic production standard. *(Against)*
- Oblige organic holdings to be entirely managed in compliance with the requirements applicable to organic production.
- Put an end to possibility of retrospective acknowledgement of conversion.

1) No IFOAM EU position.
2) Exceptional rules are still needed, in particular in Member States where the sector is not yet well developed and in all Member States in case of catastrophic circumstances.
3) No IFOAM EU position.
4) No IFOAM EU position.

Remove all the exceptional rules today would mean exclude many operators, in particular in new Member States and in disadvantageous areas and to take away reaction possibilities in catastrophic circumstances.

The impact of ending retrospective conversion needs further consideration.

<table>
<thead>
<tr>
<th>Authorisation of substances and practices</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) No new EU action</strong></td>
<td></td>
<td></td>
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<tr>
<td>• Inclusion of new substances and practices possible after assessment against OF principles by expert group for technical advice (EGTOP)</td>
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<tr>
<td><strong>(2)&quot;Improved status quo&quot;</strong></td>
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<tr>
<td>• Maintain an expert group under simplified rules and procedures. <em>(In favour)</em></td>
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</tbody>
</table>
| IFOAM EU cannot asses this proposal as we do not know what kind of simplifications is in consideration, and the reason for the proposal.

IFOAM EU suggests that a compensation for the participation in expert group should be considered and emphasizes that it is important to notice that scientists are not politicians and they should not be forced into that status. This has always to be considered when recommendations from EGTOP are read. |                         |                                          |
| (3) Quantity-driven option | Authorisation of new substances self-regulated by the sector.  
Introduce a specific threshold for non-allowed substances, under which the product cannot keep its organic status (baby-food limit for instance).  
(Against) | 1) No IFOAM EU position.  
2) Organic Farming and Production is a process-approach system. Organic products cannot be reduced to pesticide-free or GMO-free products. We therefore oppose to introducing specific thresholds for decertification. We do support a harmonized approach in action levels and harmonization in the severity of actions taken. | Self regulation for authorisations presents risks and opportunities. Introducing thresholds that determine the organic status would upset the basic concept of organic farming and production. |
| (4) Quality-driven option | Authorisation of new substances for organic farming in horizontal legislation.  
(Against) | A specific evaluation for organic sector is needed, otherwise the importance of the sector could be under evaluated. It is good to use the technical knowledge and experience already available but there is always the need for a check against the principles and this also requires an in depth knowledge of the organic production method. | There is a need for improvements in the decision making process for substances requested for organic food and farming to enable innovations to reach the operators in time. |

<table>
<thead>
<tr>
<th>GMOs</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
</table>
| (1) No new EU action | Use of GMOs, use of product from GMOs and use of products by GMOs is forbidden.  
Coexistence rules defined by MS  
EU horizontal labelling rules apply in case of adventitious or technically unavoidable and unintended presence that does not exceed the 0.9% threshold.  
(In favour) | Article 9 of Council Regulation (EC) No 834/2007 is generally well applied within the organic sector. But the horizontal legislation on GMOs like Regulations (EC) No 1829/2003 and No 1830/2003, on which the implementation of article 9 depends, is essential for the organic sector. This legislation needs to be improved and complemented. In fact, EU wide legislation must ensure that measures are taken to protect the GMO-free sector from contamination and therefore IFOAM EU Group suggests an EU wide binding rules that ensure the protection of organic farms and products from any GMO contamination. | The risk of accidental presence of GMOs is the same for conventional and organic products. Where GMO crops are cultivated it is almost impossible to avoid contamination. A lower threshold would make the organic farming impossible in many EU areas where GMO crops are present. |
**Quantity-driven option**

- GMOs: Sub-options: specific GMO labelling threshold for organic products /different rules for food and feed. *(Against)*
- Authorisation of GM-free labelling for organic products, rules to be elaborated by the sector. *(Against)*

GMO producers must be fully liable in case of contamination, but also for prevention costs such as isolation distances, segregation along the food chain, sampling and analysis. The "polluter pays" principle must finally be applied in GMO related policies. In practical terms, an EU wide ban on the cultivation of GMOs would probably be the most effective way to guarantee freedom of GMO contamination in all GMO-free products.

**Quality-driven option**

- GMOs: specific GMO labelling threshold for organic products different rules for food and feed. *(Against)*

DG SANCO is currently working on a GMO-free labelling. This labelling should support and complement the organic label, not to compete against it.

<table>
<thead>
<tr>
<th>Processing standard</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) No new EU action</strong></td>
<td>• Harmonised EU standard • Non-organic ingredients may be used if authorised at EU level (Art 21) or provisionally authorised at MS level (Art 19).</td>
<td></td>
</tr>
<tr>
<td><strong>(2)&quot;Improved status quo&quot;</strong></td>
<td>• Better enforcement of current rules. <em>(In favour)</em> The procedure to update Annex VIII should be more differentiate in accordance to the relevance of the proposed change and for minor changes easier. Involvement of stakeholders is fundamental. (Minor changes in annex proposed for Annex VIII for example a justification of the “specific conditions” must be treated in a different way compared to the application for a new substance.) A better enforcement of current rules and an efficient updating of the food annexes would be an important driver for organic sector to increase the efforts to provide such ingredients in organic quality. A change in system of the administration of annex IX is in consideration within IFOAM EU.</td>
<td></td>
</tr>
<tr>
<td><strong>(3) Quantity-driven option</strong></td>
<td>• Authorisation of non-organic ingredients self-regulated by the organic sector. • Introduction of an obligation of measuring environmental performance for non-agricultural companies. <em>(In favour)</em></td>
<td>1) No IFOAM EU position but a change in system of the administration of annex IX is in consideration within IFOAM EU. 2) Primary elements of environmental management based on the EMAS system should be integrated into the EU regulation. Very small operators and operators that already have a certified environmental management system should be exempted. 1) See above – risks and opportunities 2) Introduction of an environmental management system will have a positive impact both on the overall sustainability of the organic farming and production system and on the consumers’ perception.</td>
</tr>
</tbody>
</table>
### Quality-driven option

- End of exceptions for the use of non-organic ingredients in processed products at EU and MS level. *(Against)*
- EMAS certification for non-agricultural companies. *(Against)*

1. This should be the final aim. But a step by step process is needed. As for now, about half of the products in Annex IX can be taken out, others are still needed.
2. IFOAM EU suggest a simplified system compared to EMAS.

1. Deleting all existing non-organic ingredients would lead to a loss of diversity in the range of organic product on the market. This would hamper the development or even reduce the market share of organic in EU. The sector has grown step by step, so the list can be reduced step by step.
2. Establishing a real EMAS management system is possible only for big and well-established companies.

### Labelling

<table>
<thead>
<tr>
<th>(1) No new EU action</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protection of the organic terms in the EU.</td>
<td></td>
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<tr>
<td>Compulsory use of EU logo.</td>
<td></td>
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</tr>
<tr>
<td>Control body code number + indication on place of farming are obligatory.</td>
<td></td>
<td></td>
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<tr>
<td>Logo protected by trade-mark.</td>
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<td></td>
</tr>
</tbody>
</table>

| (2) "Improved status quo" | | |
|---------------------------| | |
| Provide guidelines for promotion of the EU organic logo (Action Plan). *(In favour)* | | |
| Remove indication of place of farming when redundant with origin labelling under other legislations, in particular new Regulation on Food Information to Consumers (EC) No 1269/2011. *(In favour)* | | |
| For the "EU" or "non-EU" indication, expand the limit of 2% for ingredients of agriculture origin not coming from the mentioned area to 5%. *(In favour)* | | |

1. promotion of the logo is strongly needed
2) and 3) are IFOAM EU positions.

1) Will have a positive impact of economic performance of organic products and will increase consumers trust (positive social impact)
2) Will minimise confusion of consumers and make the labelling regime on origin more suitable for products composed out of multi ingredient products.
<table>
<thead>
<tr>
<th>(3) Quantity-driven option</th>
<th>• Simplify indication of place of farming by maintaining only one of the following indications: 'EU Agriculture', 'non-EU Agriculture', 'EU/non-EU Agriculture'.  <strong>(Against)</strong></th>
<th>It doesn't solve the problem with horizontal labelling legislation and excludes possibilities for using this labelling requirements for a more detailed information on country level as required by the consumers. Furthermore it is not realistic when looking at the product flow of producers that sometimes source their products from within EU and sometimes from outside EU.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Quality-driven option</td>
<td>• Phasing out of national logos.  <strong>(Against)</strong></td>
<td>National logos are well recognised by the consumers. Banning these might reduce the identification of organic products on national markets. There is a potential to undermine consumers trust. We fail to see the relevance of this option for a quality driven approach. In general national and private labels have functioned as providing a pathway for further developing the EU organic regulation and so they support the intentions of a quality driven option.</td>
</tr>
<tr>
<td>Control System (including accreditation and market surveillance)</td>
<td>IFOAM EU Group position</td>
<td>Environmental, economic and social impact</td>
</tr>
<tr>
<td>(1) No new EU action</td>
<td>• Competent authorities or delegated control bodies following R (EC) No 882/2004. • Specific rules adapted to organic production currently being reinforced. • All operators controlled at least once per year • MS/Control Bodies (CB) to carry out a risk analysis to target additional controls. • Accreditation of control bodies • Market surveillance by MS.</td>
<td></td>
</tr>
<tr>
<td>(2) &quot;Improved status quo&quot;</td>
<td>Risk-based approach should be reinforced. Clarity of liability among operators, control bodies and competent authorities is strongly needed. The control approach using audit and certification concepts and investigative control approach must be clearer separated because relevant differences and specific needs are between the two concepts. Transparency should be increased. All these improvements should be made at implementing rules level. Council regulation is already clear on this topic.</td>
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<tr>
<td>• Improve enforcement <em>(in favour)</em></td>
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<tr>
<td>• Reinforce coherence and synergies with horizontal legislation in particular on traceability and market controls. <em>(in favour)</em></td>
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<tr>
<td>• Reinforce coordination amongst competent authorities for border controls. <em>(in favour)</em></td>
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<tr>
<td>• Address coverage issues: inclusion of the whole chain, no exception for retailers.</td>
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<tr>
<td>• Limit legislative ambiguities to increase controllability <em>(in favour)</em> <em>(incl. presence of pesticides Against)</em></td>
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<tr>
<td>• Increase coordination of the different authorities in charge of market surveillance within the MS <em>(in favour)</em></td>
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</tbody>
</table>
| (3) Quantity-driven option | • Simplify access to the control system for operators, e.g. simple declaration to start producing organic. *(In favour)*
• Consider simplified requirements for small farmers. *(In favour)*
• Consider the introduction of group certification for small producers *(No position)*
• Introduce more result/product-oriented controls. *(Against)*
• Maintain risk-based approach + one control per year of all operators. *(In favour)* |
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1) No IFOAM EU position 2) No IFOAM EU position although importance of small operators is acknowledged. 3) No position but IFOAM EU is currently discussing risks and opportunities for the introduction of group certification in EU 4) The context is important. Product oriented controls are already sufficient since they are only part of the several checks that a control body or authority can carry out. If they function as an independent check of organic quality it is the wrong instrument 2) and 3) Risk and opportunity from simplified requirements for small farmers 4) Introducing more result/product-oriented controls means in practice to increase the cost of controls and thus the cost of final products without increasing the compliance with regulation and upsets the basis of organic production. Negative impact on economic. Potential positive effect on delivery of organic benefits and consumer motivation (particularly in animal welfare, for example)</td>
<td></td>
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</tbody>
</table>
| (4) Quality-driven option | • Maintain process-oriented controls. *(In favour)*
• Reinforce risk-based approach to abandon annual inspection for each operator, e.g. less frequency in inspections for low risk operators with proven clean records. *(In favour)* |
| 1) and 2) This concept is already clear in the current Council Regulation |
| If well implemented, this is the way to increase the efficiency of controls, without increasing the costs. |

<table>
<thead>
<tr>
<th>Certification</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
</table>
| (1) No new EU action | • EU producers: documentary evidence.  
• Third countries producers: original inspection certificate issued by CB. | |
<p>| (2) “Improved status quo” | • Electronic certification through national compatible databases or integration in an existing EU web-based database. <em>(In favour)</em> | IFOAM EU is in favour |
| | | Faster, less complicate and saver information on certification status of operators will have a positive impact on economic performance. |</p>
<table>
<thead>
<tr>
<th>TRADE REGIME - Third countries</th>
<th>IFOAM EU Group position</th>
<th>Environmental, economic and social impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) No new EU action</strong></td>
<td></td>
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<tr>
<td>• Equivalency arrangements (with or without reciprocity) with 11 Third countries; 17 pending requests.</td>
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<tr>
<td>• Supervision by Commission assisted by MS (co-reporters, national experts)</td>
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</tr>
<tr>
<td><strong>(2) Improved status quo</strong></td>
<td></td>
<td></td>
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<tr>
<td>• Reciprocal approach in Third country equivalency recognitions.</td>
<td></td>
<td>Enter in a more simple way the foreign markets would be advantageous for all EU organic exporters, in particular smaller ones.</td>
</tr>
<tr>
<td>(In favour)</td>
<td></td>
<td></td>
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<tr>
<td><strong>(3) Quantity-driven option</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Recognition of Third countries for the purpose of equivalence; (In favour)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Introduce additional option for equivalence: recognition of third countries for their control systems only and they would be required to apply the “EU standard”. (No position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Supervision of recognised Third countries by Commission assisted by MS (co-reporters, national experts). (In favour)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) Yes, if well assessed</td>
<td></td>
<td></td>
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<tr>
<td>2) Changes in Reg. (EC) No 834/2007 on the equivalence are not necessary. This topic can be discussed within the implementing Regulation (EC) No 1235/2008</td>
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<tr>
<td>3) Supervision by Commission and Member States is needed and should be improved, also to ensure equal and transparent procedures and treatment of all control bodies working in- and outside the EU</td>
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</table>
### (4) Quality-driven option

- Reciprocal approach in Third country equivalency recognitions. *(In favour)*
- Introduce possibility of recognition of third countries for the equivalence of control systems only, in charge of supervision of “EU standard”. *(Against)*
- Supervision of recognised Third countries by Commission assisted by MS (co-reporters, national experts) *(In favour)*
- Develop a specific export policy (Action Plan). *(In favour)*

1) It is the right approach
2) Current equivalency system is already well outlined in Reg. (EC) No 834/2007
3) Supervision by Commission and Member States is needed and should be improved.
4) It is important to develop an export policy through a new EU organic action plan

### TRADE REGIME - Imports from non-recognised countries

**IFOAM EU Group position**

- Equivalency (Art 33): 60 control bodies and control authorities recognised.
- Import authorisations can be granted by MS lot by lot until July 2014.
- Supervision by Commission assisted by MS (co-reporters, national experts)

**Environmental, economic and social impact**

- Two procedures under 834/2007:
  - Equivalency (Art 33): 60 control bodies and control authorities recognised.
  - Import authorisations can be granted by MS lot by lot until July 2014.
  - Supervision by Commission assisted by MS (co-reporters, national experts)
<table>
<thead>
<tr>
<th>(2) Improved status quo</th>
<th>• Removal of recognition of control bodies for the purpose of compliance (Art 32). (In favour)</th>
<th>Equivalence, if well assessed and implemented, is already sufficient to guarantee the integrity of products coming from third countries.</th>
<th>Reducing the complexity has a positive impact on social and economic performance.</th>
</tr>
</thead>
</table>
| (3) Quantity-driven option | • Imports from non-recognised countries: possible through control authorities or CBs recognised for the purpose of equivalence. (In favour)  
• Maintain the current system of import authorisations under direct responsibility of Member states  
• Supervision of CBs by third countries recognised for control system only and/or supervision ensured by an EU body or a MS. (In favour) | 1) Yes, if well assessed and implemented.  
2) No IFOAM EU Group position. | The new introduced import concepts have to be appropriately implemented and further developed. This will have a positive impact on operators to continue with currently establish import concepts. |
| (4) Quality-driven option | • Imports from non-recognised countries: possible through control authorities or CBs recognised for the purpose of compliance. (Against)  
• Removal of recognition of control bodies for the purpose of equivalence. (Against) | Equivalence, if well assessed and implemented, is able to guarantee the integrity of products coming from third countries. Compliance is in the most third countries is not the appropriate approach because of climatic, structural and cultural differences to EU countries. | Going for these options will have negative impact on upcoming organic production in a number of third countries by excluding them from the market, leading to a negative social, environmental and economic impact. |
6.2 Other options considered by the Commission

IFOAM EU is not ready at this stage to support any of the other options (presented below). IFOAM EU does not believe that they would be beneficial for the development of organic farming. Organic farming doesn’t need to be developed from the scratch. With 20 years experience of regulation (EEC) No 2092/91 and the new regulation (EC) No 834/2007 in place since 2009 a legal framework was created that was supportive for the development of organic production in the European Union. IFOAM EU fears that transferring the present provisions into a new legal framework would damage the growth of organic farming severely and bring the development back for years not least because of the uncertainty about the future among farmers and companies. Furthermore it should be taken into consideration possible consequences on international agreements.

<table>
<thead>
<tr>
<th>Instrument-Based options</th>
<th>IFOAM EU comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Framework directive</strong></td>
<td>A European Parliament and Council Directive, to be implemented by Member States, would set aims and principles of organic production and include the provisions on the use and protection of the terms referring to organic farming. The organic standard would be developed by MS in relation to the aim and principles set in the Directive. The import regime would have to be modified and would rely on import authorisations to be granted by MS.</td>
</tr>
<tr>
<td>This option would have a strong impact in the internal and international markets. IFOAM EU fears that problems of unfair competition within the EU would arise and international equivalency agreements would fall.</td>
<td></td>
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<tr>
<td><strong>Organic Farming as a Quality Scheme</strong></td>
<td>The option is based on the introduction of “organic farming” as an optional reserved term under Council Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs. This option could be combined with one of the three policy options presented above.</td>
</tr>
<tr>
<td>Organic is already the most successful food quality scheme of the EU. Nevertheless, what distinguishes the organic standard from all other food quality schemes is the holistic approach and strict certification requirements that also include delivery of environmental public goods, animal welfare and other issues. The impact of this option is not fully clear and could be only assessed based on a more detailed proposal. However, replacing the organic regulation with a quality scheme would clearly not be an option.</td>
<td></td>
</tr>
</tbody>
</table>
### Change of Legal Basis

The legislation would cover not only food and feed, but could be extended according to the new Legal Basis, which would not be Article 39 (Agriculture) of the Treaty on the Functioning of the European Union any more, but another Article (e.g. internal market). This option may require fundamental changes because organic farming might not be part of the Common Agricultural Policy any more.

The possibility of extending European legislation on organic standards to products other than food and feed needs to be carefully assessed in cooperation with the different stakeholders, as demand for organic products is growing also in other sectors (e.g. cosmetics, textiles) and consumers should be protected from any fraudulent claims. But organic food and farming must under any circumstances remain part of the Common Agricultural Policy, as organic farming is not only a quality label, but clearly a crucial instrument under the CAP to deliver environmental services, to boost development, innovation and employment in rural areas and to make farmers competitive on quality food markets.

### More innovative Options

| No action at EU level | The existing EU legislation would be repealed. MS could define national standards, or leave the management of the sector to operators (private/regional standards could further develop). In order to ensure free circulation of goods, MS would have to notify their standards. | Organic farming and production is developing towards harmonisation at world level. This options would bring the sector back to 20 years ago. |
| Co-Regulation | This option would be applicable only if the sector is strongly organised. A European Non-Governmental Organism would be responsible for implementing the policy in relation to the objectives. A new legal act would define the objectives of the policy and protect the term "organic". The standard would be defined by the NGO. The Commission would monitor the policy against the achievements of the objectives. This option would entail significant changes notably of the import regime. Under such conditions, it is possible that countries which have recognised the EU as equivalent would reconsider the related arrangements. | Very difficult to evaluate the impact. One important reason for which consumers trust organic is the common EU regulation. Problems with the policy framework must be considered. In particular the self-regulation option might de-link organic farming from CAP, which would be unacceptable. |
| Self-Regulation | This option would be applicable only if previous inter-branch/private arrangements exist. A European Non-Governmental Organism would be responsible for implementing the policy. The import regime would be withdrawn and could be replaced by an arrangement among importers. | |