

Brussels, 10 April 2020

To:

Mr Janusz Wojciechowski - Commissioner for Agriculture
Mr Nikša Tkalec - SCA Spokesperson, Croatian Presidency of the Council
Mr Martin Häusling - MEP and Parliament's Rapporteur for Organics

CC:

Ms Sauze-Vandevyver - Commission's DG AGRI Director for Quality, R&I, Outreach
Mr Verlet - Commission's DG AGRI Head of the Unit Organics
Members of the Special Committee on Agriculture (SCA)
Members of the Committee on Organic Production (COP)
Parliament's COMAGRI Chair, Group coordinators and 'organic' shadow rapporteurs

RE: Application of the New EU Organic Regulation

After a long revision process - which was quite demanding for the sector and the EU Institutions & Member States - in June 2018 the new organic Regulation (EU) 2018/848 was published. Since then, the development of the secondary legislation was kicked off with the aim to adopt between 15 and 18 implementing & delegated regulations before the date of application (1st January 2021).

IFOAM EU asks the Commission, the Council and the Parliament to properly consider a 1-year postponement of the application of new organic Regulation (EU) 2018/848. This would allow organic producers and the organic control system to focus in 2020 on responding to the COVID-19 crisis in order to provide EU citizens with good quality (and quantity of) food.

One amendment would be needed in Article 61 of the basic Regulation (EU) 2018/848 in order to change the date of application from 1 January 2021 to 1 January 2022. This initiative should not be used as an open door to other amendments of the basic regulation.

The organic regulation is a complicated piece of legislation because it covers all the agri-food production chain and its controls and trade in one document. It deals with organic rules for primary productions (plants, mushrooms, livestock, aquaculture & algae), for food & feed production and labelling, rules for the organic control system and for the international trade of organic products. It is also interconnected with almost all the existing EU regulations of the agri-food sector, e.g. regulations on plant protection products, on fertilisers but also on food additives or on food flavourings, labelling, official controls and many others.

For all these reasons, the development of the secondary legislation is being challenging. According to the Commission's plans presented before the COVID-19 outbreaks, a number of implementing and delegated regulations would be published in November and December 2020. Even without the COVID-19 crisis, it would have been very challenging to start applying a new brand regulation just few days after the publication of the last implementing & delegated regulations.

There are a number of reasons why a postponement would be beneficial:

- **Organic controls & certification:** The major criticalities are related to the organic control system. Implementing & delegated regulations on controls & certification will be published at the very end of the year and certifiers will have to change procedures & documents, train the staff & the inspectors, apply for new accreditations. In normal conditions, such preparatory process would be hardly feasible. If we take into account that the majority of the physical controls have to be postponed to the end of the year due to the COVID-19 crisis, then it becomes clearly unfeasible.

In terms of figures, in the EU there are around 380,000 organic certified operators. It means that in one year, the EU certifiers have to perform minimum 418,000 physical inspections as the organic regulation requires minimum 1 visit per year + additional visits to minimum 10% of all the operators. Actually, medium and high-risk operators may receive up to 3, 4 or more visits per year, therefore the real number is higher than that.

Due to the COVID-19 crisis, inspections at the moment are either performed remotely or postponed. This implies that a huge number of physical inspections will take place in the second half of 2020. It will be very challenging for the organic control system to perform such extraordinary control activities if, at the same time, they have to get prepared for the new organic regulation, where significant changes are expected in relation to controls.

In addition, Member States are also impacted, as they are responsible to establish and supervise their National control systems for organics.

- **Production & Processing:** The efforts of all the actors of the - organic & non-organic - food supply chain, from farmers to processors & retailers, to respond to the crisis and provide the EU citizens with enough food are in the public eye. Even if changes in the organic production requirements are not many, there are some that will require significant adaptation of the production processes and of specific supply chains.

- **International Trade:** Significant changes will also affect farmers in Third Countries and the international trade. New rules will be set for the so-called "group certification" which would impact millions of organic small producers in developing countries who produce important products for the EU market: coffee, tea, cocoa, bananas & tropical fruits, herbs & spices etc. No one knows yet the future development of the COVID-19 outbreak in the Global South, but in any case any potential additional burdens due to regulatory updates should be avoided.

For all these reasons, IFOAM EU asks the EU Institutions to properly consider a 1-year postponement of the application of new Organic Regulation (EU) 2018/848 in order to give enough time to the sector - and to the Member States - to be prepared. There is no urgency to fulfil any legal gap as the current organic Regulation (EC) No 834/2007 is well established.

With kind regards,



Jan Plagge
IFOAM EU President