



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
Directorate H. Horizontal aspects of rural development
H.3 Organic farming

REPORT
on the supervision of inspection bodies and authorities of the
Member States according to Article 15 of Council Regulation (EEC)
No 2092/91 on organic production

Year 2006

TABLE OF CONTENTS

1. INTRODUCTION.....	1
2. PURPOSE	3
3. INFORMATION ON THE INSPECTION SYSTEMS	3
3.1. METHODOLOGY.....	3
3.2. INSPECTION SYSTEMS	4
4. OUTCOME OF SUPERVISION IN THE YEAR 2006	5
4.1. VISITS TO OPERATORS CARRIED OUT BY THE INSPECTIONS BODIES AND INSPECTION AUTHORITIES	5
4.1.1. <i>Visits to operators</i>	5
4.1.2. <i>Samples taken and analysed</i>	11
4.2. IRREGULARITIES/INFRINGEMENTS AND SANCTIONS	12
5. OBSERVATIONS AND COMMENTS	14

1. INTRODUCTION

According to Article 9 of Council Regulation (EEC) No 2092/91 on organic production, *"Member States shall set up an inspection system operated by one or more designated inspection authorities and/or by approved private bodies (...)"*.

Any operator, who produces, prepares, stores or imports from a third country organic products for the purpose of marketing them, or any operator who places such products on the market shall submit his undertaking to the inspection system (Article 8).

Furthermore, Article 9.6 states that:

"after an inspection body has been approved, the competent authority shall:

(a) ensure that the inspections carried out are objective;

(b) verify the effectiveness of its inspections;

(c) take cognizance of any irregularities and/or infringements found and penalties applied (...)"

According to Article 15 of Council Regulation (EEC) No 2092/91:

"Before 1 July each year, Member States shall inform the Commission of measures taken in the preceding year for the implementation of this Regulation and shall communicate in particular:

- a list of the operators who, on 31 December of the previous year, had given notification under Article 8 (1) (a) and are subject to the inspection system referred to in Article 9,

- a report on supervision pursuant to Article 9 (6).

In addition, by 31 March each year, Member States shall inform the Commission of the list of inspection bodies approved on 31 December of the previous year, their legal and operational structure, their standard inspection procedure, their penalty arrangements and, where appropriate, their mark."

In Action 18 of the European Action Plan for Organic Food and Farming, the Commission undertook to publish annual reports; this Action reads:

"The Commission will publish the annual report from Member States on the supervision of approved inspection bodies including statistics on type and number of breaches."

The Commission wants to thank to Member States for the data received, which made it possible to draw up this report. The first report on supervision was published for a reporting year 2005. This is the second report for year 2006 and it is published at <http://www.organic-farming.europa.eu>.

2. PURPOSE

The purpose of this report is to give an overview of different inspection systems in Member States in organic farming sector and to describe the structure and function of these systems. Apart from that, essential data on irregularities, infringements and penalties applied are provided.

3. INFORMATION ON THE INSPECTION SYSTEMS

3.1. Methodology

Since 2006 Member States have been invited to use a new format for their supervision report. The use of the new format was agreed at the meeting of the 64th Standing Committee on Organic Farming on 23 March 2006.

The use of new guidelines helps to harmonize the information received and, therefore, to increase the comparability in time and among Member States. Moreover, these guidelines give the opportunity to provide more specific information on the number of operators submitted to regular and additional visits and on the extent to which samples indicated a breach of the Regulation; they allow to distinguish the number of samples, infringements and sanctions per type of operator, as well as the gravity of infringement (irregularities or manifest infringements) and the type of sanctions applied.

For the reporting year 2006, 18 countries out of 27 used this new format which constitutes an improvement from 2005 report, when 13 out of 26 countries did so. At the same time, since some Member States used the old format, it is not always possible to compare data.

Apart from that, 5 countries (4 Member States + Norway) have already used an OFIS (Organic Farming Information system) application and submitted their reports electronically via this communication tool.

The data on the inspection bodies are aggregated per Member State; therefore, only totals are displayed in the tables. Chapter 3 gives general information on the inspection systems set up in each country while chapter 4 contains an analysis across Member States of the outcome of inspection visits and samples taken. Data are processed and used to draw charts in order to visualize and compare the situation in the different countries. A comparison with data from Annual report for year 2005 was made where possible. Finally, chapter 5 presents some observations and comments. Caution is needed when interpreting the data due to the use of different table formats and differences in recording infringements and sanctions.

Although the countries with public inspection authorities do not have to send information on their supervision (Article 9.6 only applies as regards private inspection bodies), the concerned Member States, namely DK, EE, LT, MT, NL and FI, as well as those having a mixed public-private system, namely ES, LU and PL, provided the report regarding the year 2006.

This document is based on the annual reports of Member States, which include information on:

- the number of operators;
- the number of inspection visits (announced and unannounced);
- the number of samples taken;
- the number of infringements found;
- the number of sanctions applied.

3.2. Inspection systems

Member States were asked to give information on their inspection system; as reported in Table 1:

- 19 countries (18 Member States + Norway) have a system of approved **private** inspection bodies (system **A**),
- 6 have a system of designated **public** inspection authority(-ies) (system **B**) and
- 3 have a **mixed** system of a designated public inspection authority and approved private inspection bodies (system **C**).

Table 1 – Inspection system

System	Countries
System A	AT, BE, BG, CY, CZ, FR, DE, EL, HU, IE, IT, LV, PT, RO, SK, SL, SE, UK, NO
System B	DK, EE, FI, LT, MT, NL
System C	LU, PL, ES

4. OUTCOME OF SUPERVISION IN THE YEAR 2006

4.1. Visits to operators carried out by the inspections bodies and inspection authorities

4.1.1. Visits to operators

According to Annex III 5 of (EEC) No 2092/91 inspection bodies or inspection authorities must make a full physical inspection at least once a year of all operators; moreover the inspection bodies or inspection authorities have to carry out random inspection visits, announced or not, based on a general evaluation of the risk of non-compliance with the Regulation (EEC) No 2092/91 and Commission Regulation (EEC) No 223/2003 on labelling requirements related to the organic production method for feedingstuffs, compound feedingstuffs and feed materials and amending Council Regulation (EEC) No 2092/91.

Tables 2 and 3 show the data sent by Member States concerning the activities of their inspection bodies and/or inspection authorities.

If we want to know whether an inspection body or inspection authority visits all operators **at least once a year** then the **number of operators submitted to regular and additional visits** in comparison with total numbers of operators must be looked at (table 2).

The number of announced and unannounced visits can not be used as an indicator whether all operators have been visited at least once per year. The reason is that an inspection body may have visited one operator several times while another operator has not been visited at all (table 3).

The number of registered operators might differ from the number of operators submitted to regular inspection visits. This could be due to several reasons i.e. operator has finished or modified its activities in the meantime so no visit is necessary.

Table 2 - No. of operators submitted to regular visits and operators received additional visits

Country	System	No. of operators registered					No. of operators submitted to regular inspection visits - A				No. of operators received additional visits - B				TOTAL A+B
		producers*	processors**	importers***	others	TOTAL****	producers*	processors**	importers***	others	producers*	processors**	importers***	others	
BE	A	825	654	82	58	1.619	764	571	76	50	702	308	45	29	2.545
BG	A	107	17	14	6	144	107	17	14	6	2	2	2	0	150
CZ	A	940	152	14	139	1.245	940	152	14	139	102	1	0	3	1.351
DK (1)	B	2.794	454	165	190	3.603	2.794	454	165	190	209	9	0	0	3.821
DE	A	17.681	8.329	675	0	26.685	:	:	:	:	:	:	:	:	:
EE	B	1.173	14	0	0	1.187	1.173	14	0	0	107	0	0	0	1.294
IE	A	1.117	169	8	0	1.294	1.117	169	8	0	129	21	1	0	1.445
EL	A	23.728	1.040	9	0	24.777	24.120	1.123	11	0	:	:	:	:	25.254
ES	C	16.654	1.779	50	112	18.595	16.278	1.795	51	103	2.061	468	20	10	20.786
FR	A	11.653	4.768	146	919	17.486	11.658	4.753	145	903	391	145	5	57	18.057
IT	A	45.115	4.739	194	1.017	51.065	44.369	4.558	411	995	7.339	2.181	71	344	60.268
CY	A	404	36	1	8	449	398	35	0	8	46	5	1	0	493
LV	A	4.095	10	0	0	4.105	:	:	:	:	:	:	:	:	:
LT	B	2.350	20	0	0	2.370	2.350	20	0	0	85	4	0	0	2.459
LU	C	78	36	0	0	114	:	:	:	:	:	:	:	:	:
HU	A	1.631	361	5	204	2.201	1.631	361	5	204	303	53	0	17	2.574
MT	B	10	7	0	0	17	9	7	0	0	1	1	0	0	18
NL	B	1.452	675	213	95	2.435	1.513	1.408		193	315			3.429	
AT	A	20.427	1.361	17	0	21.805	:	:	:	:	:	:	:	:	:
PL	C	9.194	159	2	0	9.355	9.229	159	2	0	448	29	0	0	9.867
PT	A	1.468	153	2	0	1.623	1.468	153	2	0	497	60	1	0	2.181
RO	A	3.969	37	4	8	4.018	4.005	62	5	9	131	16	2	2	4.232
SI	A	1.876	39	1	0	1.916	1.876	39	1	0	167	9	1	0	2.093
SK	A	279	45	2	14	298	263	27	2	4	31	7	0	0	314
FI	B	4.024	403	23	11	4.461	4.024	403	20	11	113	12	0	0	4.583
SE	A	3.013	410	126	0	3.549	4.550	394	104	0	6	4	0	0	5.058
UK	A	4.209	1.957	339	0	6.505	:	:	:	:	:	:	:	:	:
NO	A	2.500	376	2	0	2.878	2.500	392	2	0	113	24	0	0	3.031

* All producers: includes "Producers only", "Mixed producers/processors", "Mixed producers/importers", "Mixed producers/processors/importers"

** All processors: includes "Processors only", "Mixed producers/processors", "Mixed processors/importers", "Mixed producers/processors/importers"

*** All importers: includes "Importers only", "Mixed producers/importers", "Mixed processors/importers", "Mixed producers/processors/importers"

**** "Mixed" operators might be counted several times

System A: System of approved private inspection bodies

System B: System of (a) designated public inspection authority (ies)

System C: System of a designated public inspection authority and approved private inspection bodies

":" = not available

(1) please see footnote in Table 3

Table 3 - No. of announced and unannounced visits

Country	No. of visits announced					No. of visits unannounced					Total no. of visits				
	producers*	processors**	importers***	others	TOTAL	producers*	processors**	importers***	others	TOTAL	producers*	processors**	importers***	others	TOTAL
BE	1.127	674	103	70	1.974	626	540	53	33	1.252	1.753	1.214	156	103	3.226
BG	109	19	16	6	150	2	2	2	0	6	111	21	18	6	156
CZ	947	153	16	139	1.255	95	0	0	3	98	1.042	153	16	142	1.353
DK (1)	2.615	103	2	11	2.731	209	9	0	0	218	2.824	112	2	11	2.949
DE	17.650	8.380	697	0	26.727	2.223	1.438	78	0	3.739	19.873	9.818	775	0	30.466
EE	1.215	4	0	0	1.219	65	22	0	0	87	1.280	26	0	0	1.306
IE	1.131	182	8	0	1.321	115	8	1	0	124	1.246	190	9	0	1.445
EL	24.120	1.123	11	0	25.254	1.336	300	5	0	1.641	25.456	1.423	16	0	26.895
ES	14.649	1.202	25	105	15.981	3.851	1.146	49	6	5.052	18.500	2.348	74	111	21.033
FR	11.550	5.014	154	818	17.536	6.286	2.569	138	547	9.540	17.836	7.583	292	1.365	27.076
IT	46.390	6.331	199	1.464	54.384	6.517	972	502	237	8.228	52.907	7.303	701	1.701	62.612
CY	417	36	0	8	461	67	6	1	3	77	484	42	1	11	538
LV	4.095	14	0	0	4.109	186	9	0	0	195	4.281	23	0	0	4.304
LT	2.355	22	0	0	2.377	80	2	0	0	82	2.435	24	0	0	2.459
LU	78	42			120	10	8	0	0	18	88	50	0	0	138
HU	1.866	398	5	209	2.478	70	24	0	6	100	1.936	422	5	215	2.578
MT	10	7	0	0	17	0	0	0	0	0	12	8	0	0	17
NL	1.142		1.221		2.363	843		478		1.321	1.985		1.699		3.684
AT	10.129	1.749	16	1	11.895	11.877	300	3	362	12.542	22.006	2.049	19	363	24.437
PL	9.293	162	2	0	9.457	384	26	0	0	410	9.677	188	2	0	9.867
PT	1.813	183	3	0	1.999	163	48	0	0	211	1.976	228	3	0	2.210
RO	4.008	70	5	9	4.092	121	15	1	2	139	4.129	85	6	11	4.231
SI	1.618	44	2	0	1.664	279	7	0	0	286	1.897	51	2	0	1.950
SK	566	26	7	7	606	34	7	0	0	41	600	33	7	7	647
FI	4.081	411	20	11	4.523	57	6	0	0	63	4.138	417	20	11	4.586
SE	3.442	383	101	0	3.926	1.108	16	3	0	1.127	4.550	399	104	0	5.053
UK	4.496	2.052	288	0	6.836	118	62	10	0	190	4.614	2.114	298	0	7.026
NO	2.505	397	2	0	2.904	105	22	0	0	127	2.610	419	2	0	3.031

Announced visit: the operator is informed about the visit of an inspector

Unannounced visit: unexpected on-the-spot visit by an inspector of the premises of an operator

": " = not available

(1) In DK organic farming inspections are an integrated part of general food inspections, therefore it was not possible to provide specific figures for tables 2 and 3. DK notified that in 2006 a total of 1390 inspection visits were carried out on food undertakings (excluding meat processing companies subject to daily or hourly supervision). Processing undertakings received 937 visits, importers 152 visits and "other undertakings" received 301 visits (data are for Veterinary and Food Administration).

Table 4 - No. of samples taken, irregularities and manifest infringements

Country	No. of samples									No. of irregularities or infringements found									TOTAL	
	taken for analysis				TOTAL	indicating breach of the regulation				No. of irregularities found				TOTAL of irreg.	No. of manifest infringements found					TOTAL of infrng.
	producers*	processors**	importers***	others		prod.*	proc.**	imp.***	others	prod.*	proc.**	imp.***	others		prod.*	proc.**	imp.***	others		
BE	485	430	51	29	995	31	24	0	0	912	1.162	143	45	2.262	9	4	0	0	13	2.275
BG	7	0	0	0	7	0	0	0	0	301	35	0	14	350	185	38	0	20	243	593
CZ	9	9	0	6	24	0	0	0	0	3	0	0	1	4	2	0	0	9	11	15
DK	0	277	0	0	277	0	3	0	0	70	4	0	0	74	0	0	0	0	0	74
DE (1)	140				140	:	:	:	:	19.329									19.329	
EE	28	0	0	0	28	6	0	0	0	48	0	0	0	48	5	0	0	0	5	53
IE	1	1	0	0	2	0	0	0	0	17	0	0	0	17	1	1	0	0	2	19
EL	1.774				1.774	319				447									447	
ES	3.811	1.036	9	14	4.870	72	41	0	4	334	108	2	3	447	75	19	0	2	96	543
FR	1.349	993	22	51	2.415	95	75	7	3	12.950	5.492	346	1.713	20.501	55	38	0	1	94	20.595
IT	3.029	1.258	59	348	4.694	182	82	0	30	9.815	707	27	280	10.829	916	80	1	31	1.028	11.857
CY	19	0	0	0	19	0	0	0	0	35	3	0	0	38	1	1	0	0	2	40
LV	30				30	:	:	:	:	12									12	
LT	5	0	0	0	5	0	0	0	0	3	1	0	0	4	8	0	0	0	8	12
LU	9				9	0	0	0	0	5				5	0				0	5
HU	43	0	0	0	43	2	0	0	0	174	31	0	14	219	8	25	0	11	44	263
MT	1	1	0	0	2	1	1	0	0	0	0	0	0	0	1	1	0	0	2	2
NL (2)	113	78	0	76	267	0	9	0	0	998				998	17	0	0	0	17	1.015
AT	0	0	0	1.059	1.059	0	0	0	0	0	0	0	0	0	0	0	0	804	804	804
PL	80	19	0	0	99	2	0	0	0	1.102	0	0	0	1.102	41	0	0	0	41	1.143
PT	26	22	0	2	50	3	1	0	0	1.073	49	0	0	1.122	757	68	0	0	825	1.947
RO	141	6	0	5	152	0	0	0	0	612	1	0	0	613	19	0	0	0	19	632
SI	122	2	0	0	124	5	0	0	0	1.921	63	5	0	1.989	22	0	0	0	22	2.011
SK	12	1	0	0	13	0	0	0	0	94	1	0	0	95	0	0	0	0	0	95
FI	15	21	3	5	44	0	2	0	0	366	3	0	0	369	4	0	0	0	4	373
SE	10	0	1	0	11	1	0	0	0	211	65	12	0	288	0	0	0	0	0	288
UK	224	0	0	0	224	0	0	0	0	1.052	0	0	0	1.052	0	0	0	0	0	1.052
NO	0	0	0	0	0	0	0	0	0	98									98	

": " = not available

- (1) DE interpreted the number of irregularities in such a way that they do not include only all irregularities as laid down in Art. 9 (9) a) of Reg. (CEE) No. 2092/91, but also the small irregularities not sanctioned according to Art. 9 (9) a) or b) of Reg. (CEE) No. 2092/91, but against which appropriate measures were taken (e.g. written cautions, checks)
- (2) NL stated that most of the infringements reported were actually irregularities and they did not necessary lead to penalties

Table 5 - No. of sanctions or penalties

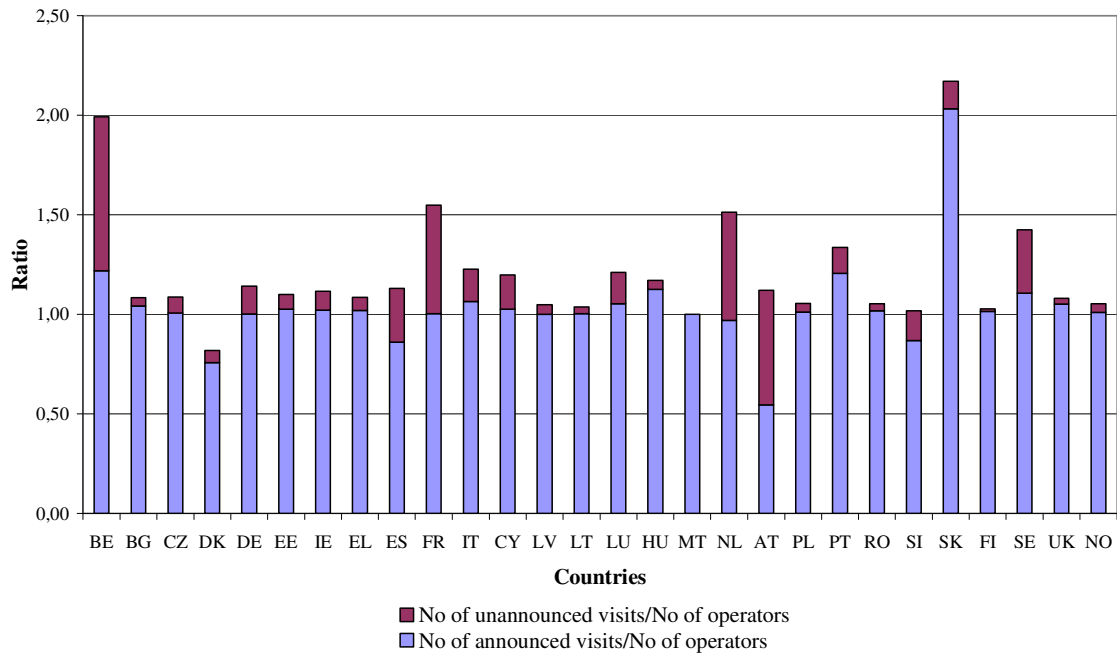
Country	No. of sanctions or penalties applied								TOTAL
	on the lot or the production run				on the operator				
	producers*	processors**	importers***	others	producers*	processors**	importers***	others	
BE	19	8	1	0	9	4	0	0	41
BG	11	5	0	4	0	0	0	0	243
CZ	0	0	0	0	2	0	0	9	11
DK	0	1	0	0	70	4	0	0	75
DE (1)	127								127
EE	0	0	0	0	5	0	0	0	5
IE	17	0	0	0	1	1	0	0	19
EL	0	0	0	0	0	0	0	0	873
ES	178	64	0	1	96	15	0	2	356
FR	1.255	38	1	5	31	36	0	2	1.368
IT	574	41	1	23	801	103	3	13	1.559
CY	1	1	0	0	0	0	0	0	2
LV	1								1
LT	3	1	0	0	8	0	0	0	12
LU	:	:	:	:	:	:	:	:	:
HU	114	10	0	0	0	3	0	0	127
MT	0	0	0	0	1	1	0	0	2
NL	0	10	0	0	17	0	0	0	27
AT	0	0	0	0	0	0	0	726	726
PL	2	0	0	0	78	1	0	0	81
PT	530	12	0	0	22	0	0	0	564
RO	72	1	0	0	15	0	0	0	88
SI	506	57	0	0	22	0	0	0	585
SK	0	0	0	0	1	0	0	0	1
FI	366	3	0	0	4	0	0	0	373
SE	0	0	0	0	53	24	8	0	85
UK	0	0	0	0	76	0	0	0	76
NO	37	1	0	0	1	0	0	0	39

": " = not available

(1) DE reported only cases in accordance with Art. 9 (par. 9) a) and b) of Reg. (CEE) 2092/91

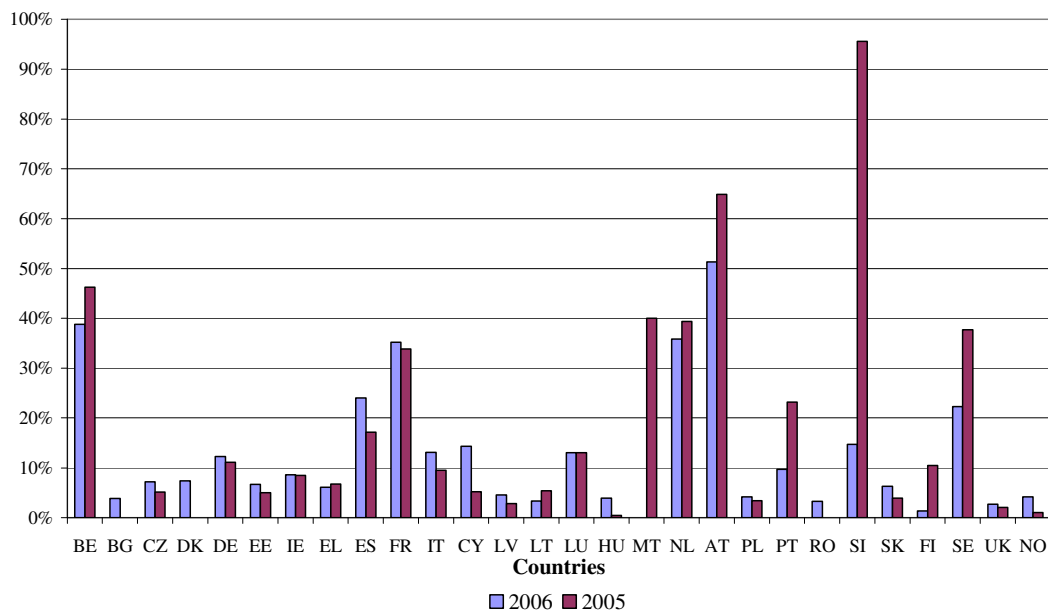
The Figure 1 gives an overview of average number of visits per operator. As not all Member States provided the number of operators submitted to regular visits and number of operators who received additional visits, we used the number of announced and unannounced visits.

Figure 1 – Number of announced and unannounced visits of inspection bodies per Member State, standardised by division through the number of operators



This figure shows a large variation between Member States in the number of announced and unannounced visits. The use of unannounced visits also varies considerably among Member States. This is shown even more clearly by Figure 2.

Figure 2 – Percentage of unannounced visits out of all visits

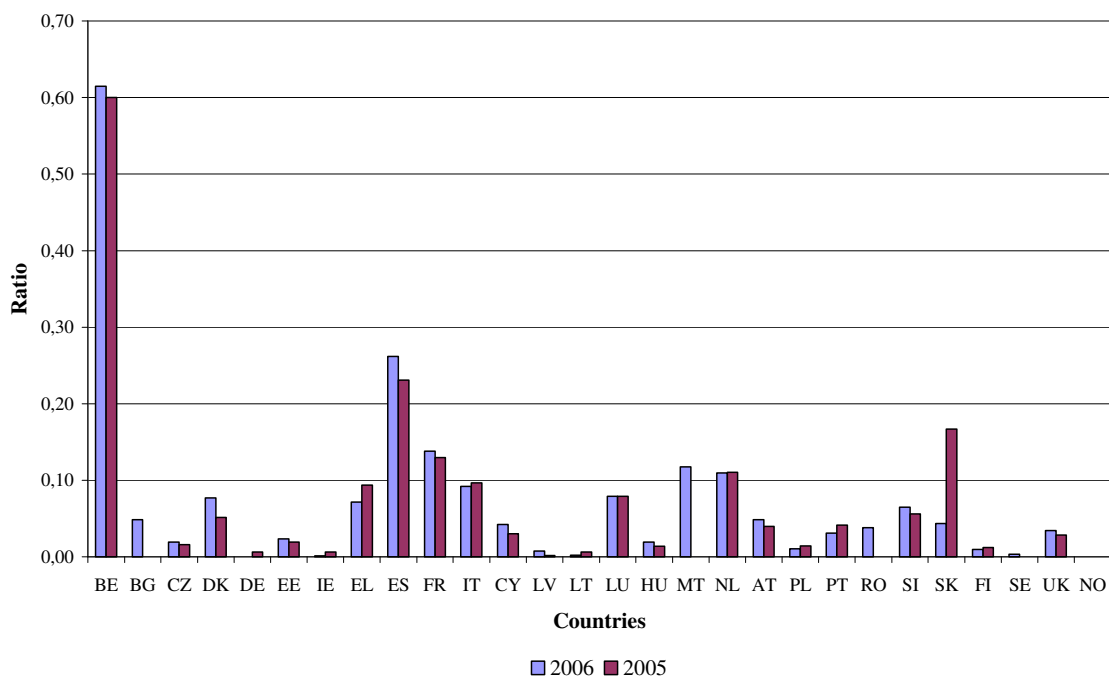


4.1.2. Samples taken and analysed

According to Annex III 5 of (EEC) No 2092/91, inspection bodies or inspection authorities, during the inspection, may take samples for testing of products not authorised under this Regulation or for checking production techniques not in conformity with the Regulation. Samples may also be taken and analysed for detecting possible contamination by unauthorised products.

Figure 3 shows how many samples have been taken by the inspection bodies (as a ratio of the number of operators) in the different Member States.

Figure 3 – Average number of samples taken, given as a ratio of the number of operators



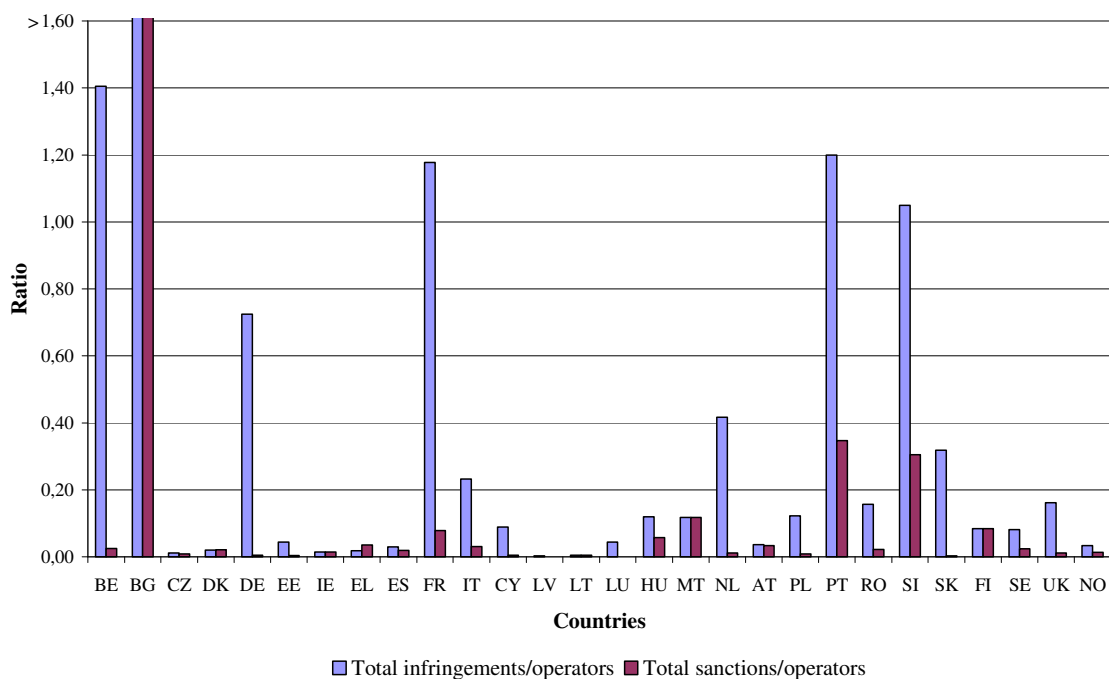
4.2. Irregularities/infringements and sanctions

According to Article 9.9 of Regulation (EEC) No 2092/91, the inspection authorities and inspection bodies have to ensure that where an irregularity is found the indications referring to the organic production method are removed from the entire lot or production run affected by the irregularity concerned. Where a manifest infringement is found the operator has to be prohibited from marketing products with indications referring to the organic production method for a certain period.

Member States who used the new format have distinguished between irregularities and manifest infringements.

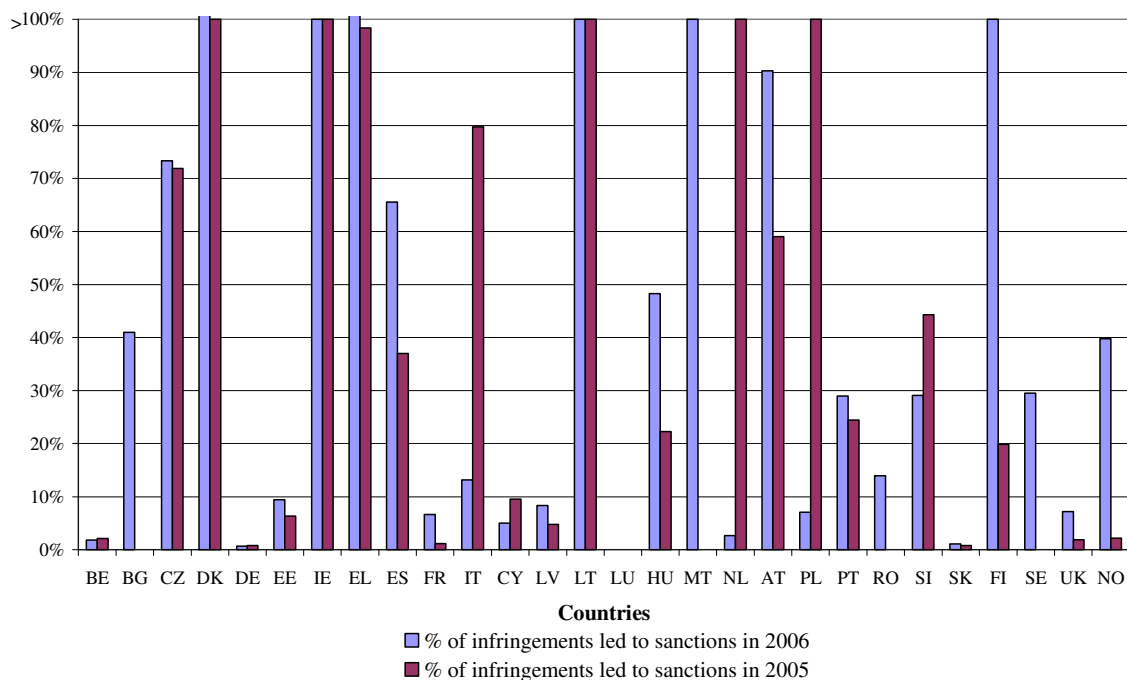
For the sanctions applied they specified whether these were taken with respect to the lot/production run or the operator. For both infringements and sanctions they have given their data per type of operator.

Figure 4 – Infringements and sanctions per Member State (divided by number of operators)



Comparing the total numbers of infringements with sanctions in Figure 4, we are trying to show a correlation between the number of sanctions and the number of infringements per Member State. Given the difficulty to compare and analyse the data, it is impossible to draw clear conclusions.

Figure 5 – Percentage of total infringements which led to sanctions



5. OBSERVATIONS AND COMMENTS

The Commission would like to stress that the usefulness of the data provided depends on their extent and their format, which should be based on the new guidelines.

Several conclusions can be drawn up from the report:

- the key element of the control system, i.e. annual inspection visit of each operator has been fulfilled. This is shown by comparing the number of operators submitted to regular and additional visits with the total number of operators,
- there is a significant variation among the Member States as regards the share of unannounced visits on all inspection visits,
- it is significant that the quality of data provided and the number of the Member States using new guidelines has increased in comparison with reporting year 2005, however a clear conclusion can not be made as different definitions of the parameters and the different data acquisition are used by the Member States.