

Civil Dialogue Group on Organic Farming

Meeting of 16 December 2015

1049 Brussels, Rue de la Loi 130, 11th floor – Room B

FINAL Minutes

Agenda and presentations given during the meeting are publicly available at:

http://ec.europa.eu/agriculture/civil-dialogue-groups/organic-farming_en.htm

A minute's silence was observed to pay tribute to Mr Johannes Nebel, one of the Danish organic farmer pioneers and previously Chair and Vice-Chair of the Advisory Group/Civil Dialogue Group on Organic Farming.

He unfortunately passed away on 13 December 2015.

1) Approval of the agenda and of the minutes of the 17 April 2015

Agenda: SACAR asked to have a clarification on the recent Commission guidelines on additional official controls on organic products imported from 10 Eastern countries¹.

Minutes of 17 April 2015: no comment.

Agenda and minutes were approved.

2) Elections of the Chairmanship

The candidates for the chairmanship were:

- Mr Christopher Stopes from IFOAM EU for the role of Chair
- Ms Lone Andersen from Cogeca for the role as Vice Chair
- Mr Richard Lawrey from SACAR for the role of Vice Chair

The three candidates were elected unanimously.

3) State of play of the discussions of the review of the organic farming legislation: information on the trilogues

DG AGRI, updated the Group on the state of play of the trilogues for the new organic regulation.

Latvian Presidency of the Council in the first semester of 2015 steered Member States towards the adoption of a General Approach at the AGRI Council of 16 June 2015.

Parliament started a bit slower because of the European elections in 2014. The green MEP Martin Häusling was appointed as rapporteur. The EU Parliament Committee on Agriculture and Rural Development adopted the report with 402 amendments on 13 October 2015 and delegated Martin Häusling and the shadow rapporteurs to start the trilogue negotiations with Council and Commission.

¹ http://ec.europa.eu/agriculture/organic/documents/eu-policy/guidelines-additional-controls_en.pdf

Trilogue started under the Luxemburg Presidency, two meetings took place in November and December. A bit of progress was done on scope, mixed farms and on some production rule. but there was no much progress on the major issues.

Anyway nothing was closed.

It was also difficult to set a clear agenda and working methods, but now they have been established.

The Commission said that the Parliament has a very active attitude, they took long time to produce the report and now they want to close as soon as possible.

As for a possible calendar for the Implementing and the Delegated acts, at the next CDG it will be possible to give an idea.

The Commission also think that all the necessary transitional rules are already in the proposal.

Copa asked why the process is taking so long if Council and Parliament position are quite close. The trilogue should start fixing the key topics: controls and decertification thresholds. And farmers have been waiting too long for better detailed rules on poultry, on greenhouse production, on wine.

Also why the Commission is putting so much pressure on the specific topic of pesticide threshold, this can seriously affect the work of farmers.

The Commission answered that the procedure is a trilogue and not a dialogue between Parliament and Council. On controls and on pesticide thresholds, Council and Parliament are very distant from the Commission's positions.

An added value is necessary in the new regulation, and added values can be brought by a new import regime, a move of the control requirements in the horizontal legislation and the establishment of a decertification threshold for unauthorised substances.

On import the positions of the three institutions are a bit closer.

The thresholds issue is critical, there is a diversity of opinions and the sector is not unified. Several countries have different interpretation schemes in place and a harmonisation at EU level is necessary.

Poultry, greenhouse production and wine are very complicated issues, Commission cannot handle too many topics at the same time.

EOCC added that they are worried for the text of all the three proposals. The sector demand to have a workable regulation is not reflected at all. E.g. on conversion and feed, the link between definitions and production rules is missing. But even more, all the conversion rules for animals are totally inconsistent and any compromise starting from the three text will be not good for whom has to implement the regulation. Just starting from the current text, simplify and restructure it will not be an improvement. Again, the sector is very worried for the lack of technical soundness.

The Commission answered that on this topic, it will be easy to find a compromise.

IFOAM EU said that at this point everyone agrees that there will be a new regulation. This granted, the stakeholders cannot wait more, a quick and good text is needed.

IFOAM EU was also very surprised to hear from the Commission that there is a diversity of opinion on the threshold issue: Council and Parliament have a clear and similar opinion and a joint letter was sent by IFOAM EU, Copa-Cogeca and EFFAT on the topic.

Of course some stakeholders can have a different opinion, likewise within DG AGRI there were voices against the proposal a new organic regulation.

As for controls the situation is very similar, Council and Parliament agreed that controls should stay in the organic regulation.

What is the democratic understanding of the Commission? It seems that Commission thinks to know more than the other EU institutions.

The Commission answered that they play a full role in the trilogue. The aim is to have better controls but the Council text does not technically work and the Parliament proposes the status quo.

Commission has still instruments to withdraw the proposal, it is not sure yet that the review will go through. Mixed farm and scope are not key areas, but control, thresholds and import are.

Pesticide threshold is a political point but for controls it is a technical issue.

FTAO added that on import unfortunately the three institutions have a similar opinion, but at least there should be a realistic level of flexibility. And the pesticide threshold can have a multiplied effect in third countries.

The Commission answered that on import basically the position is clear, and some flexibility elements will be introduced to avoid to undermine the development.

Currently most of the exceptions in third countries are on the retroactive recognition of the conversion period and on the use of non-organic seed. Authorised substances can be a problem, because many of them are in line with the organic principles but they are not on the list because they are not used in the EU.

All the institutions agree that development should not be undermined, but what we require from EU producers, should be also required from producers in third countries.

CELCAA asked when changes in the wine implementing rules can be expected. The EGTOP report on wine has been published recently.

IFOAM EU repeated that the sector recognised that there is a problem to be solved and proposed many solutions both for the management of the findings of residues and for the revision of the import regime. But those were ignored. It would be much more appreciated if a dialogue between the institution and the sector is re-established in order to find solutions. Actions must be taken, but the proposal from the Commission is not the right one on residue management. It creates also uncertainty for organic farmers that risk to have their harvest decertified for someone else fault.

Commission answered that there a very few cases of successful investigation and the member states compete each other instead of collaborating. For this reason the Commission proposed a decertification threshold. It is the only way to harmonise.

On the equivalency option, it is off the table now, the compliance principle is accepted by the three institutions. Also the US, Japan and other big actors apply compliance.

The chair questioned a bit the democratic nature of trilogue process: the Commission should be the mediator of the process, not to be in opposition to the other EU institutions. And adding to this, the sector voice was ignored.

The Commission did not agree as there were several consultations and all the contributions were taken into consideration.

In the trilogue the Commission is playing its institutional role of building bridges. The Commission has to be a bit insisting because they will implement the Regulation and because they have to justify their work to the Court of Auditors.

The Commission is negotiating, is lobbying and can - at any moment – withdraw the proposal. This is the rule of the game. Exactly what Mr Häusling made with his report.

ECVC supported the Commission position on non-authorized substances. Harmonisation is needed.

Copa asked clarification on the date of application of the new legislation. There is lack of clarity of timescale in particular as regards the implementation of the rural development programmes. This discourages new conversions to organic.

EOCC proposed to give a presentation of the different systems applied on residue findings on the different member states.

The Commission answered that they are flexible and they planned at least 1.5 years for preparing the implementing and the delegated acts. The proposal from EOCC is fully supported.

On the speed of the process, there was a very long discussion on the possible withdrawal. When the sector decided to keep the proposal the Parliament took more than one year to adopt its report.

And now suddenly, everything become very urgent. Time is important but also substance.

4) State of play of the implementation of the action plan and in particular on the results from the innovation conference in May 2015 in Milano

Presentations given by the new deputy head of unit 'organics'.

Copa-Cogeca and **IFOAM EU** congratulated with the Commission for the organisation of the innovation conference in Milano.

5) Update on the EGTOP's activities

Unit 'Organics' updated the group of the activities of the Expert Group for Technical Advice on Organic Production (EGTOP).

There were 3 mandates in 2015: on fertilisers and soil conditioners, on wine substances and oenological substances, on disinfectants and cleaning agents.

Only the one on wine was published. The other two reports will be published in January.

In 2016 2 mandates are planned: on plant protection products in the first semester and on food in the second semester.

The Chair asked whether a list of the substances and practices that will be evaluated in 2016 can be circulated.

The Commission said it is possible as soon as it will be definitive.

Cogeca asked clarification on the EGTOP composition and how long the mandate is.

The Commission answered that there was a call and around 100 experts were appointed. In some case, also external experts are consulted.

In 2013 the mandate has been prolonged for 3 years because there was no time for a new call.

IFOAM EU asked an update on the definition of basic substances in the current regulation (EC) No 889/2008.

The Commission answered that food products of animal and plant origin should be automatically recognised and authorised in organic production. Doubts were raised on the automatic recognition for mineral origin substances.

6) Information on the implementation of TRACES

The Commission gave an update on the developments of the electronic certificate of inspection for import of organic products into the EU (e-COI) in TRACES (Trade Control and Expert System of the Commission).

EOCC asked whether the requirement provided in Article 13.4 of Regulation (EC) No 1235/2008 can be correctly implemented with the new electronic system.

The Commission confirmed that that provision needs to be implemented also independently of the new system. However, the Commission intends allowing the inclusion of relevant documents in the system. As long as this is not possible (for technical or other reasons), the importer or exporter will have to provide this information in a parallel communication (e.g. by email). As long as the issue of the electronic signature is not legally solved at EU level, the COI will still have to be printed, signed manually and be sent as a paper document to the relevant receiver.

There will be a link between TRACES and OFIS to reduce time to notify irregularities detected via TRACES.

E-CoI will make it possible that some products cannot enter the EU market when there are problems with the data, CB or products themselves.

During the year 2016, the COM will organise several trainings on the use of TRACES and issuance of e-CoI.

7) Presentation on the current definition by the member states on the slow growing organic poultry strains

ERPA gave a presentation on the current situation of implementation of the requirement for slow-growing poultry strains in the different member states.

Considering the big differences notified by member states of slow growing poultry breeds, ERPA proposes an harmonised definition in the organic European regulation based on a max Average Daily Gain (35 g/day in broiler) and mandatory minimum age for slaughter (70 days in broiler). These 2 criteria are easy to measure and control. They give a good level of animal welfare and correspond to the majority of practices in Europe.

The Chairman and the Commission confirmed this inconsistency between member states and with the regulation, and then the necessity to have a better definition of the slow growth.

IFOAM EU made an observation: considering only the Average Daily Gain is limitative, the aim should be the animal welfare. Criteria considering the general welfare should be attentively developed.

8) State of play on Horizon 2020 calls on Organic Farming

The Commission (DG AGRI Unit H5) gave a presentation.

Two topics specifically developed for the organic sector are contained in the Horizon 2020 Work Programme for 2016/2017, one on organic plant breeding (SFS-07-2016-2017) and one on contentious inputs used in organic farming (SFS-08-2017). In addition, ERA-Net CORE Organic will be funded again (SFS-19-2016). Additionally, there are about 15 other topics that explicitly mention that organic farming should be involved.

IFOAM EU regretted that organic food processing is left out from the Horizon 2020 Work Programme for 2016/2017. IFOAM EU also appreciates that there is money available on breeding techniques but is the organic unit involved in the interpretation of classification of these new techniques?

Copa asked how to be sure that there will be a multi-actor approach. Researcher and farmers must be connected.

ECVC asked about canteen and public procurement as experience shows that having organic canteen bring a significant development of the sector.

The Commission answered to IFOAM EU that there is a focus on the primary production in the WP 2016/17. DG AGRI is mainly in charge of the R&I in the agricultural primary sector. Food sector is mainly dealt by DG RTD. Concerning the breeding techniques, DG AGRI is not responsible but they are consulted continuously.

They answered to Copa that during the info week, there was a workshop on multiactor approach. It is clear that it is a learning process. Tools are there, it is up to member states and stakeholders to use them.

On canteen, this issue has a stricter link with the Organic Action Plan more than with research.

Copa asked how stakeholders can influence next work plan for 2018/2019/2020.

The Commission answered that input was collected through consultation and that there will be a conference on 26-28 January 2016 called "Designing the path: a strategic approach to EU agricultural Research and Innovation".

9) Impact of the new UN Sustainable Development Goals on organic farming on the EU policy

Presentation was given **UN** on the 17 Sustainable Development Goals included in the UN document: [Transforming our world: the 2030 Agenda for Sustainable Development](#).

IFOAM EU mentioned how organic agriculture can help achieving the global goals. IFOAM Organics International produced a [factsheet](#) on this topic;

The Commission proposed that at next CDG sustainable food experts can present what it is at stake.

10) A.O.B. - 1

The Commission presented the [guidelines](#) on additional official controls on organic products imported from Ukraine, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Uzbekistan and Russian Federation.

They were adopted by the Committee on Organic Production and are applicable from 1 January 2016 to 31 December 2016.

They are based on three points:

- 1) Tracking and identification of all consignments of imported organic food and feed
- 2) Complete documentation check at point of entry
- 3) Sampling and analysing for presence of pesticide residues each incoming consignment at point of entry

It was not an exclusive initiative of the Commission, many member states asked for them.

EOCC asked about guidelines for control bodies acting in Ukraine and expiring in few days and if the sample would be acceptable if the importer or the first consignee analyse the products.

The Commission answered that guidelines for control bodies will be streamlined with these new guidelines.

On the sampling, the guidelines are on official controls and are meant for competent authorities. The sample from an importer is not official

EOCC highlighted that control bodies are faced with decisions that can bring serious and frequent economic damages to the operators. It is difficult for control bodies and competent authorities must stand with control bodies to be the first in line to receive these reactions from operators but also from other control bodies. In case of problems with batches that need to be blocked and downgraded, it is very important that competent authorities stand with and support the control bodies. **EOCC** asked that the Competent Authorities inform the importers of the measures taken at EU level. **EOCC** also regrets not being consulted before making these guidelines public among all Member States.

The Commission answered that member states asked for these guidelines. The Commission would have preferred a regulation instead.

FTAO said that these guidelines are appropriate for Ukraine but in a wide discussion it seems that the Commission see all the operators in third countries as fraud-makers and think to protect the consumers without considering the operators.

SACAR hoped that with these guidelines the Commission is not anticipating a 100% official control approach in organic.

The Commission answered that these guidelines will also protect operators, such as livestock producers. The rotten apples might undermine the good ones. These guidelines are the best we can have at the moment.

ECVC supported the Commission action

A.O.B. - 2

The Commission updated the group on the state of play on the equivalency agreements with third countries.

The agreement with Chile is going to be signed very soon. Plant products, seed and processed products, except honey, are going to be in the scope of the agreement.

The one with Chile will be also the first one signed under the new rules, on the basis of the Council mandate given in 2014.

It will also be crucial for other agreements in that area: Colombia, Peru and Mexico.

A.O.B. - 3

ECVC and **EEB** asked for the re-insertion of cod liver oil as feed for the herbivores.

The Commission answered that the national competent authorities should ask for it.

Next meeting is planned for 14 April 2016.

Disclaimer

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