

## **Civil Dialogue Group “Organic Farming”**

### **Meeting of 25 November 2016**

1049 Brussels, Rue de la Loi 130, 11<sup>th</sup> floor – Room B

#### **Final Minutes**

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

[http://ec.europa.eu/agriculture/civil-dialogue-groups/organic-farming\\_en.htm](http://ec.europa.eu/agriculture/civil-dialogue-groups/organic-farming_en.htm)

The Commission DG AGRI Unit B.4 ‘Organics’ will be shortened as **COM** in this document.

**The Chair** is Christopher Stopes, IFOAM EU president

**The Vice Chairs** are Lone Andersen from Cogeca and Richard Lawrey from SACAR.

#### **1) Approval of the agenda and of the minutes of 14/04/2016**

Agenda was approved with two additional items for the AOB point:

**SACAR:** Clarification of the date of publication of the guidelines on import of organic products from Ukraine

**ECVC:** a point on the seed issue

Minutes of the meeting of 14 April 2016 were also approved.

**The Chair:** minutes should define action points to help us take forward the action; as they are now it’s a good description but would be good have specific actions.

#### **2) Elections of Chairmanship**

Candidate for the Chair: Christopher Stopes, IFOAM EU

Vice-chair: Lone Andersen, Cogeca & Richard Lawrey, SACAR

##### **Introductions of candidates**

**Stopes:** second term as chair, 30-year involvement in organic farming, president of IFOAM EU; scientific background; looking forward to serving again as Chair of CDG Organic Farming

**Andersen:** organic dairy farmer, vice chair in Danish Agriculture Food Council; second year as vice chair; vice-chair of organic working party in Copa-Cogeca

**Lawrey:** 25 years in organic trade, experience in brand management, import distribution, supply chain management

**Voting requirement:** 2/3 are needed from 41 experts present; Open vote in favour of Stopes; nobody opposed, nobody abstained

Andersen as vice president: 2 abstained, no one opposed

Lawrey as vice president: 1 abstained, no one opposed

### **3) State of play of the discussions of the review of the organic farming legislation and calendar for implementing and delegated acts**

**COM:** Legislative process explanation: COM made a legislative proposal in March 2014, it was examined by Greek and Italian presidency; then under the Latvian presidency the General Approach was reached in June 2015. Then parliament drafted amendments (around 1300) and adopted its report in October 2015. In October 2015 the inter institutional process (trilogue) was launched. Now under Slovak presidency we are getting close to an agreement.

12 trialogues have already been held, 2 more to go. The aim is to reach an agreement under Slovak presidency.

The text is examined and the EP amendments and the position of the council are being discussed. It is a very long technical and political document. COM tried to ensure single set of rules, same rules for all, fair competition and a level playing field as well as transparency. Regulation 834/2007 and implementing rules of Regulation 889/2008 were merged in the COM proposal. Parliament rapporteur works with 7 shadow rapporteurs from the political groups.

An agreement is likely at the end of 2016; the COM can't say much on the substance – nothing is agreed until everything is agreed. The COM's proposal was adopted by the College of Commissioners. To depart from this proposal would require the agreement of the College of Commissioners. For the moment, COM hasn't departed from its proposal, COM's role is to facilitate the process.

#### **Comments:**

**The Chair** encourages a frank and open discussion

**Copa** surprised by the last sentence – COM talks about its own proposal while triologue is a give and take. On the threshold issue COM has to change position to move forward. We are not read yet to have thresholds. When COM doesn't move then it means there is no agreement.

**EOCC:** have been talking about conversion as goal is to have more organic farmers in Europe. What we see is that non-organic farmers have no incentives to convert. Is there any change in the concept? It is a crucial point in the revision. EOCC have impression that the issue has not been seriously discussed and are worried about in conversion products concept.

**COM:** this is a negotiations process. Parliament and Council are asking for many changes, COM has to see if these changes are acceptable. It will happen when it happens; for the moment COM insists on having thresholds. Negotiations are underway and everything is open.

The goal is to simplify the rules by having more definitions and improve the language. The proposal of COM was to improve and facilitate the reading of legislation and simplify the life of operators by having a single piece of legislation and to have rules grouped together by category. We will have to see if it's possible in the final drafting. COM is insisting on trying to keep clarity.

COM had not put rules on in-conversion products in its proposal. We didn't want to legislate but Parliament and Council asked for it. There are two categories of products now – in conversion products and organic products. It was the wish of co-legislators to have this. It might be complicated as it changes the approach.

**IFOAM EU:** in case no final adoption of revised regulation, what does it mean for amendments? Are we dependent on alignment with Lisbon treaty if something has to change?

**COM:** if there's no adoption, the current legislation will continue to apply : a Council regulation together with an implementing COM regulation. The COM will have to propose an alignment. This was done some years ago, the alignment process lasted 2-3 years and failed. So if there is no agreement on the text that is on the table, then COM would have to make another proposal to align the organics legislation on the Lisbon Treaty.

There are 45 articles under discussion. COM proposed to harmonize the detection of non- authorized substances as COM was made aware that there is a problem due to the lack of harmonisation as regards interpretation of results in the case of presence of non-authorized substances and also as regards action to be taken . COM proposed a system that would work across the board. Products containing pesticides above a certain threshold wouldn't be able to be marketed as organic and there would be a possibility for Member States to compensate farmers in case of contamination. Thresholds are being used in 3 MS and they are common practice of inspection bodies in more than 10 other Member States. The FVO (Food and Veterinary Office) has looked into the situation in MS and their report confirms this.

Other issues in the regulation: scope of products- what is covered by legislation, livestock, aquaculture, trade chapter, control issues – as in food and feed area, additional controls, animal welfare etc. So it's not only about thresholds.

**CEJA:** asked if there was any information on what was remaining in the basic act and what goes to technical annex.

**COM:** What stays in will depend on the result of the inter-institutional negotiations; there are 3 possibilities for outcome: either something is in the basic act and there is no provision to amend it. Then it means that any change would require co-decision. In other cases, depending on the empowerment that will be given to the COM, COM has to consult Parliament and MS. Implementing acts enable COM to put in practice rules that are in the basic act. All provisions are under intense discussion, Parliament is predominantly in favour of delegated acts; Council prefers implementing acts. If everything is done through co-decision, everything will be cast in stone. COM doesn't believe the co-decision is the right way to go.

**EOCC:** Regarding the third country imports- conformity in 3<sup>rd</sup> countries is expected, EOCC inquired about the progress so far and the expectations with regards to the database for seeds & livestock. EOCC would like to ensure uniform competition level and asked about mechanism negotiators are using that 3<sup>rd</sup> countries could transpose.

**COM:** Fair competition is exactly what COM wants to achieve. Until now only equivalence was used. Now COM has proposed to activate compliance because the lack of harmonisation is affecting the access of EU producers to the organic scheme it's important for COM to achieve a level playing field ensuring that everyone is treated in the same fashion. Same rules for all. It's also an important issue for consumers: this offers the guarantee that all products with EU logo are of the same quality.

Regarding databases: the idea is on the table, that there would be a listing of reproductive material (plants, animals and aquaculture animals) where operators can consult the availability of organic material. Parliament's idea has not yet been accepted but is being discussed. As for the mechanism to ensure that Third Countries can transpose: this is done together with lawyers to make sure legislation is drafted best as possible.

**IFOAM EU:** COM explained that we already have a threshold in MS. Isn't there a risk that detection below threshold will not be investigated? Currently, any detection is investigated. If non-authorized substances are found, investigation has to take place, threshold is just to indicate the use.

**Cogeca:** the whole EU is not ready to have thresholds. It will create a lot of problems between conventional and organic sectors. More data is needed; details, compensation should be worked out. There should be more time to discuss, the sector is not ready for this.

**COM:** Take your point that you're not ready.

**Stopes:** how is the use distinguished?

**COM:** It's being done today. We don't have to introduce anything new. The investigation is made to test use or contamination. There was no level fixed in the proposal but just the idea of a threshold.

**FTAO:** regarding the thresholds issue: if there are two parties trading and the threshold is breached, the product is disqualified. There might be several tests taken with results below and above the thresholds so how would COM decide, especially given the international trade context with several parties. Which trade organisation have you worked with?

You also mentioned that EU farmers are disadvantaged – could you substantiate with concrete figures on how many EU farmers are disadvantaged by import of cocoa, tea or coffee?

**EOCC:** we can go into detail with thresholds during the EOCC presentation. We have a solution. Important to go to legal requirements on sampling & testing as what control bodies are doing is different from what operators do – they look at product while we look at process.

**ECVC:** organic sector is blocked, we are not proactive. We have to discuss contamination and we have to be proactive. Organic sector can progress only if consumers believe in the sector. It doesn't mean to abandon checks or final control.

**SACAR:** concerned that COM chose the most straightforward and simple way of dealing but not most effective way. COM set a limit of threshold at a point because above this value it is assumed that it's an indication of use but cannot find evidence of this. Contamination at the wrong time of growing process can lead to high contamination level so it's important to harmonize the way we investigate. By setting a simple limit we make it more difficult to get it right.

**IFOAM EU:** agree that COM identifies a real problem but the way to address it is problematic. Level playing field requires interpretation of real word that doesn't exist. COM forgot to make equitable instead – equal as the situations are very different in third countries so we need equitable solutions. Same with limit levels - such approach would lead to non-equitable outcomes.

**COM:** important that somebody said that organic production is voluntary and innovative. It shouldn't be forgotten that we need consumer confidence, we want to pay attention to both producer and consumer pillars.

In response to FTAO: you mentioned coffee, tea, cocoa to which one should add bananas. We have complaints from EU banana producers who are not allowed to use fungicides in banana production that are authorised in some third countries.

Regarding equitable and equal: this is not about having the same conditions to produce. We want producers and operators to respect the same rules because it is a quality scheme. Everyone should have the same chance. The COM has to propose to be ambitious and fair. We see that the organic market is growing rapidly but land in the EU is not growing as fast, meaning that if the market is

growing at a fast pace it's because of imports. We are not against imports, nevertheless we realize that it's a missed opportunity for our EU farmers. Another example, in 3<sup>rd</sup> countries there is group certification but not in the EU.

**Cogeca.** I agree organic farming is a choice. Consumers support us because of environmental sustainability but also because of no pesticides. We need to harmonize the practices of the control bodies in the Member States. If we are not ready for thresholds, we need a plan. We need to support our methods. On other topics – seed, mixed farms– we have to be careful not to move towards conventional. We must maintain our principles and high level of quality and need to find a common method to establish thresholds.

**FTAO:** where are the farmers disadvantaged from the import of cocoa, coffee and tea? We live in a world where media has tried to manipulate. When COM says that EU farmers are disadvantaged by imports, we need to look into details.

**COM:** I didn't say EU farmers are disadvantaged by import; I said there is no level playing field between EU farmers and 3<sup>rd</sup> country farmers. When it was noted that the organic market has increased 4 times and EU area has only doubled, we realized there was a problem. One of the obstacles is that there is no level playing field and no fair competition, our rules are not ensuring it. I was saying that we want to remedy a situation where organic farmers are not submitted to the same conditions.

**ECVC:** to answer to FTAO: cereal harvest this year was catastrophic, a miller gives lower price because the harvest in the Ukraine was good. If we continue with this ultra- liberal approach of COM, there's no way out of it.

**EOCC:** regarding the import condition in the third countries, COM will ensure that conditions for transposition are the same, will COM ensure that in Africa and Latin America the producer will have the same databases?

**COM:** can't answer yes or no, it was not COM proposal. We want harmonized rules for as many points as possible, not meaning that everyone is in the same condition but everyone has the same chances.

#### **4) EU financial support to organics: overview, rural development measures, promotion, H2020**

**COM** gave a presentation

**IFOAM EU:** Figures are impressive; COM was referring to organic as quality scheme but we consider it as an approach that supports the transformation of food and farming systems so in this respect there is still a lack of ambition: only 1% of funding under societal challenge 2 is dedicated for organic. Given the demand for organic food a figure of 10% would make more sense.

With regards to CAP: 6.3 billion euro is impressive, but the devil is in the detail. if you look at EU rural development spending alone; organic farming payments account for 6.4% of the budget, but if you take the total figure, it's only 1.5% of total CAP spending. Given that there is a gap between supply and demand – if we are ambitious to use organic farming as a means to transform European agriculture, we need to think radically how CAP can be reformed to support such a transition. Part of this move is to start to better reward and incentive all farmers who are delivering agro-ecological as

part of their overall enterprise. To do this we need to mainstream the concept of public money for public goods under the next reform.

**Cogeca:** more robust CAP for organic farming is needed. CAP should support those who are keen to invest. Within CAP more emphasis is put on conversion in RDP. If we want to have quality organic farming, we also need processing and marketing. Measure 11 should be more linked to value chains and areas, there should be greater courage to ensure incentives for conversion.

**COM:** with regards to research: we should move from 1% to 10% - I just arrived so give me time to match. I can assure that we'll do all possible. Regarding CAP: 6 billion is not peanuts, it's a mirror what organic represents. These decisions are taken by your governments. You have to lobby your governments to use these funds. Don't ask to increase the funds - some countries spend 0 on organic so please speak to your governments.

**ECVC:** we need more subsidies than the existing amount. If externalities are taken into account, organic will be cheaper than conventional. Instead of looking for new molecules to replace pesticides, the research should be on conditions to work without new molecules.

#### **4) Update on EGTOP's activities and its composition**

Call is not available yet, still working on it. New call has to undergo analysis on the conflict of interest. It should be out by end of the year. Current group stays active until the end of year. Two reports were published recently – on aquaculture and on plant production published a few weeks ago.

Aquaculture: [https://ec.europa.eu/agriculture/organic/sites/orgfarming/files/final\\_report\\_egtop\\_on\\_aquaculture\\_part-c\\_en.pdf](https://ec.europa.eu/agriculture/organic/sites/orgfarming/files/final_report_egtop_on_aquaculture_part-c_en.pdf)

Plant Protection: [https://ec.europa.eu/agriculture/organic/sites/orgfarming/files/egtop\\_plant\\_protection\\_iii-2016-10-26-definitive\\_version.pdf](https://ec.europa.eu/agriculture/organic/sites/orgfarming/files/egtop_plant_protection_iii-2016-10-26-definitive_version.pdf)

#### **5) State of Play of the implementation of the Action Plan for the future of organic production in the European Union**

**COM** made a presentation

**Nic Lampkin** from the Organic Research Center (UK) made a presentation

**IFOAM EU:** in Denmark the Organic Action Plan was not influenced by change of government – it's not true, we lost the target because of the change, new government wants to take away support for area of organic farming, it should be market driven.

**Copa:** officially there is no an Organic Action Plan in the Netherlands. Did study consider the impact on growth of organic farming in places without action plan? Maybe sometimes we focus on tools like action plan too much, although it is a useful tool.

**EFFAT:** asked a question to Nic about training and education in France, Spain and Scotland: on p1 table Andalusia is not covered at all.

**Nic Lampkin:** there is a typing error with Andalusia, not intentional. For Denmark, fully accept that things have change a lot since the report, we based on historical data.

We didn't look at the Dutch situation but in previous project on overall policy implementation and in England the decline in the area is the same as before so it's a missed opportunity.

Dutch case: critical challenge. Real danger if policy swings to market or environmental end because you miss an import part of what organic farming can contribute and risks unbalanced development.

Which might be the case in the Dutch case. It's not necessarily the action plan at fault but it's hard to get an integrated perspective.

**IFOAM EU:** share of land and consumption is lower in the Netherlands? The Organic Action Plan is a good instrument.

What we see is that Organic Action Plan is trying to work with policy makers. The Organic Action Plan is not about creating subsidy space but tackling issues like gap between supply and demand. Regarding public good: market is not recognizing public good, it doesn't care about these aspects so public policy is necessary to deal with market failures.

**IFOAM EU:** COM couldn't make a strong link between level playing field and rules while you're saying that the tech rules are the barriers.

**COGECA:** Danish government support in a market driven way and a lot of things are still happening on the background of this action plan.

**Nic Lampkin:** regarding the issue of technical difficulties: there is a wide context in Europe. It's important that EU provides a common framework within which we can work and focus on specific issues. I would hesitate to say that within the Organic Action Plan we should have a local standard setting. The other issue is that it's clear that there are different views of stakeholders about what is important and how it's delivered, some maybe market or environment oriented in their priority. In Organic Action Plan context you try to accommodate both views but there's a danger if one wins out. Organic Action Plan process is valuable for working out solutions

**COPA:** how much dependence is there on support/subsidies, is there a study?

**Nic Lampkin:** last review was done by the last Rural Development Plan, not sure there was a similar exercise in current Rural Development Plan. It's clear that in some countries there's a much higher support, it's a matter of political will, there is an issue of dependency. Willingness of farmers to be in organic is because they are not happy where they are but also confidence that organic farming represents a solution. Policy is about risk sharing, it needs to build farmer confidence. In some case it was such a high level of support that it was main reason to be organic. It's important to strike a balance. Evidence is clear that if market signals are negative farmers will not convert no matter the support, so market and support are both important.

## **6) Presentation of the new official control regulation and its impact on the organic control system**

**COM** made a presentation

**EOCC:** requirements for operators – anything in the regulation on controls? As I understand there is an agreement on basic act now, is there a list of delegated and implementing acts and how organic can take part in shaping these.

**COM:** there are general requirements applying to all operators under the Official Controls Regulation. We expect some specific additional requirements for organic operators in the organic regulation. Concerning implementation, there is a series of delegated and implementing acts under the Official Controls Regulation. We need to wait for the publication of the final text to see the list. COM is planning drafting delegated and implementing acts, all this info will be available in March when the final text of the Regulation on Official Controls is published.

## **7) Presentation of EOCC on the state of art of residue findings managements in the EU**

**EOCC** made a presentation

**The chair:** Need for harmonisation is clear

**ELO:** Do all control bodies use the same decision making tools? What are your experiences with causes of contamination, are you always able to find source of contamination?

**Copa:** wondered if reality of controls that COM has in mind is relevant and well thought through.

**EOCC:** there are different tools. If we compare identical cases there are different decisions by control bodies. EOCC compared positive analysis of 47 cases in Belgium, 18 resulted in downgrading; so a lot of cases do not result in downgrading. Those that did, 4 cases are about contamination, 1 drift, 5 cases with feed (5% of non-organic is allowed) and 1 case was due to contamination due to storage; 0 case of use of unauthorized substances. In Biofach 2017 there will be a presentation by EOCC on the detailed results.

Regarding the source: yes in most cases, but in case of sample of raw material, we ask control bodies of supplier, always results in finding the source

**COM:** for most parts of this presentation we agree – EOCC's presentation is more related to current framework. We had a study with all the Member States and competent authorities. In 13 MS thresholds are applied, in different ways and not always officially. COM asked for implementing and delegated acts to harmonize approach related to investigations or the laboratories' work. Currently, most of laboratories are accredited but techniques they use are different, this leads to different results and interpretation. So it is all foreseen to harmonize, in the framework of the organic reform .

**Copa:** we are not ready yet for thresholds, your presentation underlines that we need harmonization of the practices of control bodies in terms of investigation or follow-up measures. Our approach is to harmonize this first and then determine the level.

**The chair:** there seems to be an agreement here that setting up thresholds without harmonisation is inappropriate.

**EFFAT:** it is very complicated, it is not the product alone but the producer, whether he/she has done something. Possibilities for use are manifold, there are many ways of analysing and following up.

**FEFANA:** clear that there are different conditions and procedures. In different Member States market conditions are different. We heard that there are complaints of distorted competition, this is a question to COM.

**COM:** EOCC on causes of contamination– conditional yes, time consuming and control bodies has to be Sherlock Holmes, whatever approach we need to give some certainty.. We intend to provide solution for all non- authorized substances not only pesticides.

**EOCC:** it is worth thinking about a possibility what happens on the farm and beyond (after the farm). Presence of pesticide on a farm should be focus for the future, having a different approach what happened on the farm.

**SACAR:** imports: do u find a difficulty in the assistance you need from a 3<sup>rd</sup> country control bodies in conducting investigation? How much does testing vary? Comment about operators: when they do their own testing they have clear responsibility, what are your concerns?

**EOCC:** it is much easier to cooperate with control bodies when I know them individually, not the case of the 3<sup>rd</sup> countries. So it is not the same quality of assistance. Practice of sampling and analysis is not

the same in the 3<sup>rd</sup> countries. It is time consuming, product maybe not available anymore by the time of decision. Pressure on control bodies to make a decision on something sold already in huge quantities. There is cooperation of control bodies working in China; identifying risk in some countries is useful to know when to proceed for sampling.

91.1 talks about suspicion on level of operator; they have to inform control bodies and stop the product themselves.

Consequences of downgrading are crucial. Pumpkin seeds are no longer seeds, they are used in bread; some control bodies decide that bread is no longer organic. We shouldn't forget the principle of proportionality when downgrading decision is taken. It's not only what happens before but also after.

**EFFAT.** Support what EOCC said. Example nuts from Brazil, they have a high content of bromide; a case which started in the UK. it was identified with this chemical of 40mg per kilo, bromide content, the UK had a discussion with other MS, the product was blocked for 2 weeks. Just to say how complicated it was.

**The chair:** It is important to bring the message to the COM that it is early for thresholds.

**COM:** the message has been heard.

## **8) State of play in trade agreements with Third countries and plurilateral**

COM made a presentation on a plurilateral arrangement on organics.

**IFOAM EU:** principle behind agreement is equivalence, how is it accessed, what differences will exist? It would be strange to impose compliance on some countries and equivalency on other.

**EOCC:** a question on the preference of COM for the scope of such agreement. We know there is trade agreement with the US but there are conditions. In the US the use of antibiotics is forbidden. Do you prefer a trade agreement of a small scope and no conditions or large scope with conditions?

**COM** we are in preliminary stage of agreement. A possibility to have a world standard is a long term objective. The level of ambition will be part of discussion, starting with lowering cost of audits and progress step by step to more ambitious objectives. It will be discussed in mid or long term. One of the aspects was the role of stakeholders in the process. Once we have a base or a document to share they will be invited.

**FEFANA:** welcomed this initiative as it goes in direction of avoiding burdens for operators. A number of micronutrient are allowed in organic farming; I'd like to push for a better dialogue with operators on the topic of micronutrient.

## **9) Technical points**

### ***a) Update on proposal for new regulation on fertilisers***

**IFOAM EU:** it is important to coordinate with organic unit. Recycling is fundamental in organic farming, so it is crucial that this regulation be compatible with organic. We are not sure if the regulation will create more obstacles or opportunities but it is important to coordinate now. It is not clear whether waste from milk industries that have lactic bacteria waste fall into this regulation or not. It is microorganism and we should make sure that they are not forbidden to use.

**Lampkin:** use of struvite should be relevant to consider in this process

**COM:** COM provided rules with the proposal on compost and digestate. COM is working on safety standards for Struvite, Biochar and Hashes. COM idea is to make rules fundamentally for conventional agriculture. Organic rules in principle are more stringent. Organic farming currently may use phosphate rock with cadmium content of 90 mg/kg of P<sub>2</sub>O<sub>5</sub>. This will not be possible in the future as the proposal is more severe. Organic regulation will be obliged to adapt cadmium content to the new Fertiliser Regulation. COM will continue to inform the organic unit which was involved since the beginning in the preparation of the Impact Assessment.

**IFOAM EU:** you say that regulation is for conventional, but for organic farmers the waste is relevant. You create a horizontal regulation, but if organic farming is to be part of the future, now is the time to consider how the rules should be relevant for the sector.

**COM:** rules for compost and digestate are safety rules generally applicable. Rules for microorganisms come from a separate regulation, which is complementary to the Fertiliser Regulation. This is the Regulation 1069/2009 on animal by-products.

Organic farming can use easily the products as they are safe for environment. As regards struvite it is already on the market but we are working to provide general applicable safety rules.

#### ***b) Use of non-organic juveniles in organic aquaculture***

From the 1<sup>st</sup> of January 2017 all juveniles should be organic. Certain Member States said there is enough juveniles for European product, Denmark and Greece in particular, so there is no technical reason to postpone.

**IFOAM EU:** in Denmark it was this situation before, now we do not have this supply anymore. What we are proposing is to set up a database on organic juveniles. If there are no juveniles available, then you should be allowed to use non organic ones.

**IFOAM EU:** federation of aquaculture producers wrote to COM on 29 November with an outline position. COM is aware that Member States and IFOAM EU as well as producers do not agree with the COM approach. We have made request for use of a database; EGTOP recommended it as well so it is surprising that COM is still sticking to the old position. Saying that there is full availability is ignoring that the sector is in early stage of development. A great deal of EU products is supplied from outside the EU. COM's approach kills off production in developing countries.

**COM:** I don't agree with your position because if there was a supply of trout and after derogation the supply is over. If there is a huge demand for juveniles of certain species, then COM might consider setting up such as system which will take time. It is MS who voted against prolongation of derogation.

**IFOAM EU:** current derogation is to use non-organic juveniles when not available. COM should be addressing banned application of current rules.

**IFOAM EU** found it extraordinary that COM dismisses recommendation of experts.

**COM:** You are going too far, we are just telling you the member states' decision

#### ***c) Plant protection in organic Viticulture (copper and phosphonates):***

**COM:** EGTOP considered that phosphonates are not compatible with organic farming. COM cannot pick and choose, the main reason for their decision is that it does not comply with the regulation. The second reason is that there are residues in wine that can put organic wines at risk. EFSA has classified them as dangerous for environment, surface water. In April 2016 COM updated substances that can

be used as plant protection products, alternatives for mildew. Most of problems come from countries that decided to limit copper use.

**Copa** For those countries who talk about copper reduction under 6 kg, they can use phosphonate.

**COM** took note of comment.

**SACAR:** I agree with COM position 100%. Whole situation how EGTOP was put together was clear so it does not make sense to question EGTOP's advice.

***d) Regulation (EU) 2016/156: New residue definition for Folpet- crucial for organic products***

**COM:** Problem under discussion in DG SANTE, not new, as soon as get more info we will let you know.

**SACAR:** issue with folpet is that phtalimide which is now added to definition of folpet is actually naturally occurring, dry fruit is a major area where it happened. In organic it could cause significant issue. SACAR knows that BNN took a view on it but hard to see how it is viable if there is a threshold level.

**EOCC** have been working on factsheet for EOCC members. It's a fungicide that can be metabolized into something else; it's not correct to link it to the use of folpet; it can be linked to the use of softener or to natural occurrence. It's one example of special substances for which we don't apply a threshold level.

**COM:** point taken

***e) Inclusion of vegetable protein from wheat protein from wheat, peas or potatoes as processing aid for the clarification of fruit juices in Annex VIII of Regulation (EC) No 889/2008***

**COM:** not aware of this request; if a member state considers product to be added or removed from list, then the member state should make sure it's in the dossier sent to COM and for EGTOP consultation. This has not been the case so far.

**SACAR:** These vegetable proteins are used in clarification of organic wine so for this reason it should be allowed for fruit juices.

**The chair:** insofar as it is permitted for one category is it permitted for another?

**COM:** there should be another request.

***f) Update on the future of "COM Reg. 889/2008 - Annex IX": "Use of certain non-organic ingredients of agricultural origin in processing food"***

**COM:** we updated the list in the framework of reform, some were deleted.

**IFOAM EU:** reminded that IFOAM EU proposed to have a 100% organic ingredient, we need a more dynamic approach.

**10) AOB**

**COM:** issue to be discussed in next meeting of the Committee on Organic Production; a proposal of revised guidelines was prepared, you will be informed after the meeting.

**ECVC** raised the issue of cereal seeds. As farmers, we order organic seed, this year there were almost no organic seeds available in the region. Request is at COM level: can we have the possibility of

exchanging seeds? At the moment there is DUS rule and this goes contrary to the seeds ability to adapt.

**COM:** could not say anything else, it is DG SANTE who is responsible.

**ECVC:** It is always the same response we get. And we still remain in the same situation. Seeds are DG SANTE's responsibility, it is complicated. I am asking you to pass this message to your colleagues.

Next meeting: 12 May 2017

### **Disclaimer**

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