

Brussels,  
(2018) ...

## MINUTES

*Meeting of the Civil Dialogue Group "Organic Farming"*

*Date: Wednesday 23 May 2018*

Chair: Mrs Lone Andersen

Organisations present: All Organisations were present, except BEUC, ECPA, ECVC, EFFAT, EURAF, EuroCoop, FTAO and PAN Europe.

**1. Approval of the agenda (and of the minutes of previous meeting<sup>1</sup>)**

**2. Nature of the meeting**

The meeting was non-public.

**3. List of points discussed**

**1. Adoption of the minutes of the previous meeting and of the agenda**

**2. Overview from the Commission on the market situation of the organic sector in the EU**

**3. Revision of the organic farming legislation**

- Information on the state of play of the revision process

- information on the calendar of implementing and delegated acts

- Discussion on the main issues that delegated and implementing acts would need to solve as regards production rules

**4. Information on the European Action plan: follow up on the implementation of the measures**

**5. Results of the conference on fraud in organic farming**

**6. EGTOP activities : state of play**

**8. Follow up on the EU trade agreements : Mexico**

**9. AOB**

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<sup>1</sup> If not adopted by written procedure (CIRCABC)

### **1. Adoption of the minutes of the previous meeting and of the agenda**

The Chair welcomed the attendees. As regards the agenda, the Chair asked if participants wanted to add any item under any other business. IFOAM EU asked to add an item on the equivalence agreement between US and EU and to have an update on the process towards a plurilateral agreement. EOCC asked to add an item on the state of play of Brexit and its impact on the sector. EEB asked to add an item on animal welfare and in particular on immune-castration as an alternative to castration.

The COM explained that regarding Brexit, given that there are no indications from UK on this matter, it will not be possible to give any information on this.

The agenda was then adopted.

The minutes of the previous meeting were adopted.

### **3. Revision of the organic farming legislation**

#### **- Information on the state of play of the revision process**

The COM told the members that the new organic farming legislation had been formally approved by the Council the day before. Before the entry into force of this new legislation in 2021, the process of adoption of the implementing and delegated acts will require a serious amount of work with a strict calendar. They will have to be adopted at the latest 6 months before 2021 in order to allow operators to adopt to the new rules. The COM will continue informing member states and stakeholders on the detailed calendar in a very transparent way. As regards the process, the first step was to group different issues by topic, followed by the planning on the timing. The grouping into topics includes production rules, labelling and controls and trade rules. Given that production rules can have an impact on investments for operators, it was decided to start working on this topic.

SACAR asked if stakeholders can be included during the discussions with member states?

IFOAM EU asked how the COM planned to include comments from stakeholders in the discussions? In addition, are the implementing and delegated acts going to be included into the basic act once adopted? Is there a possibility to correct the various translations of the basic act in case of mistakes after the publication of the final legislation?

Copa asked to clarify the cases where the COM has to adopt an implementing acts and the cases where it is optional.

FEFANA pointed out that the period foreseen for the discussion with member states on production rules is during July and August, but most offices of stakeholders are closed during the summer break.

COM answered that stakeholders are invited to send their contributions to the COM taking into account the calendar of adoption of the secondary legislation with the member states. As regards implementing acts, only where it is written that the COM “shall” adopt it, it is mandatory. As regards the timing for the discussion on production rules, it was changed and it will start in September until mid-November, and it will not take place during the summer break. The translation of the final legislation took several months and several meetings were organised with translators and lawyers, therefore once it will be published it cannot be corrected anymore, but if there is still an obvious and relevant mistake, you are invited to inform the COM about it.

#### **- information on the calendar of implementing and delegated acts**

The COM presented the detailed calendar of work for implementing and delegated acts with the timing for each steps until 2020. The Step 1 is: clarification of the basic act, Step 2 : technical discussion, Step 3 : legal drafting, Step 4 : adoption procedure, Step 5 : vote on implementing acts at the COP and sending to the Council and EP for delegated acts. The presentation is available in DG AGRI website.

In terms of documents to be used in view of the drafting of the implementing and delegates acts there are regulation 889/2008, EGTOP reports, national rules and horizontal EU rules on animal health and welfare.

### **- discussion on the main issues that delegated and implementing acts would need to solve as regards production rules**

Ifoam EU said that the basic act is now set in stone, however there are still a number of inconsistencies that would need to be tackled, for example the word “pen” has different meaning depending on the category of animal where it is used. In addition, Ifoam EU welcomes the introduction of production rules for insects with the new delegated act.

The COM replied that the basic act cannot be by an implementing or delegated act but only with a new basic act. However as regards the items that seem to be unclear, we will analyse which legal tool can be used to make it clearer. This will be addressed during step 1 : clarification of the basic act. This will also allow us to avoid starting a discussion on a topic we cannot change.

Fefana asked a question on the way the list of substances and products allowed for use in organic farming will be adopted in the new regulation. On that regard, a closer dialogue with DG SANTE is needed.

Eeb is disappointed as regards the rules on animal welfare, because they don't see much improvements compared to the current legislation: castration is still allowed, fast-growing breeds are still allowed, as well as beak trimming.

The COM replied that as regards the products and substances that are allowed for use in organic farming, an on-going discussion takes place in the COP with member states in order to ensure a smooth transition with the new regulation. In the meantime, the COM will resume the update of the annexes, as this work needs to be done. Therefore, in parallel of the secondary legislation, the work of EGTOP has also been increased. However, given that we only received three dossiers on feed from member states, we are not sure yet if there will be a new EGTOP report on feed this year. As regards the questions on animal welfare, this is the result of the trialogue meetings and of the will of the Council and European Parliament. We are currently working on clarifying the issue of immune-castration and we will send out an answer on this in a few weeks.

Eooc asked a question on the revision of annex VIII, on the harmonisation of the use of nitrite and on the controllability of the conditions of use of a substance like lecithin. Eooc also asked a question on the need to clarify the wording on “conversion of animals”.

Ifoam asked a question on the PBO synergist that is allowed in conventional farming as an active substance but that could also be allowed for organic production.

The COM replied that the interpretation is correct, it is possible to use the synergist PBO for organic production. However, it is possible to forbid its use at national level.

Copa said that a good balance between clear rules and flexibility based on national differences is needed when adoption the secondary legislation on production rules.

FoodDrinkEurope said that they adopted a common position with ERPA on the rules for organic breeders and they already sent it the COM.

Eooc asked the COM on the state of play of the future catalogue of sanctions to be adopted by all control bodies at EU level.

The COM replied that the work on organic poultry is not the easiest one but there won't be any revolution. Indeed, we will continue with what is working well and if we get too divergent positions we will have to take a decision. As regards the catalogue of sanctions, we are at the beginning of the discussions with member states and of the process.

EOCC stressed the need for control bodies to have equivalent trade agreements without conditions in order to simplify the whole control process. In addition, it seems that with the new regulation TRACES will be of no use anymore.

IFOAM said that as regards "catastrophic circumstances" the current legislation should be applied with no changes.

CEJA said that currently in Ireland there is a need for rules on the production of organic rabbit and insects.

The COM replied that they want to keep using TRACES for the electronic certificate. As regards "catastrophic circumstances", the COM considers that there is room for improvement in order to make this process more transparent. As regards specific rules of production such as for young organic cockerel, even if they are not included in the general regulation, it is still possible to produce in an organic way.

The Chair said that if it is possible to have an additional meeting of the civil dialogue group on organic farming, we should investigate on it.

#### **4. Information on the European Action plan: follow up on the implementation of the measures**

The COM gave a presentation focusing on the latest measures that were implemented and the upcoming ones (Eurobarometer results on recognition of the organic logo, H2020 project on seeds, electronic certificate for the internal market by 2019, conference on fraud, discussions on a plurilateral agreement). This presentation is available on DG AGRI website. The COM still has two years to finalise the implementation on this action plan, as it ends in 2020.

EOCC asked the COM to find a new name as regards the electronic certification for the internal market in order not to confuse it with the current one for external trade. This is even more important as these two tools are different.

IFOAM EU asked if the COM is already planning to adopt a new action plan after 2020.

The COM replied that the electronic certificate for the internal market was already mentioned in this way in the current action plan, however the COM can propose a new name in future. For now, there are no discussion on the new action plan. This will mostly depend on the new European Commission and on the willingness of the new Commissioner. But we are open to discuss on the utility of the new action plan.

#### **2. Overview from the Commission on the market situation of the organic sector in the EU**

A representative from FIBL gave a presentation on their latest figures regarding the organic farming market at EU level and at world level. At EU level, the market for organic products is growing faster than the organic farming area. Therefore imports are still important at EU level. At world level, the retail sales are worth 33,5 billion euros. It is not a niche market anymore. The presentation is available in DG AGRI's website.

The Chair thanked the representative from FIBL for the detailed and interesting presentation. It is a good news that the sector is constantly growing, however we must continue monitoring the prices to make sure they won't fall down.

#### **5. Results of the conference on fraud in organic farming**

The COM informed the members on the reasons for organising the conference on frauds and the results. In parallel to the market growth, the risks of fraud are also developing. Indeed, given that the value of the market is much bigger than 15 years ago, it can attract more sophisticated fraud cases. Therefore, from now on we must prevent this from happening and take the relevant measures. During the conference, there were several presentations that show-cased the different types of frauds. In addition, it was also mentioned that a better cooperation between the key persons in charge of controls of organic production and the police force was needed. The COM will also meet annually with the control bodies.

EOCC said that he expected more from this conference, as many topics raised are already on the agenda for many years. In addition, the old risks of fraud still exist.

Copa asked if DG AGRI will get more people working in organic farming unit given all the new challenges this sector is facing?

The COM replied that old risks and new risks are to be tackled. In addition, as regards DG AGRI capacity, it is unlikely to have more resources as there is an on-going reduction of civil servants. In addition, the European Court of Auditor is drafting a new report on the sector focusing on the following question “Can European consumers still trust the European organic farming logo?”. They should publish their report before the summer and depending on the results DG AGRI may be able to ask for more resources.

## **6. EGTOP activities : state of play**

The COM gave a presentation on the latest ongoing activity of EGTOP. This presentation is available on DG AGRI website. This year, 2 EGTOP subgroups took place: one on Food and wine group on 6-8 March and the other one on Fertilisers on 10-12 April. Reports will be adopted by the plenary group on 6-8 June. There are 4 more EGTOP subgroups likely to be planned by the plenary group in June : one on Plant protection products, another on Feed, another on Cleaning and disinfectants and the last one on Food and wine group.

FEFANA urged the COM to start with feed as soon as possible and asked if EU associations can send a dossier to EGTOP.

IFOAM EU asked the COM about the deadline for member states to send new dossiers to EGTOP on the different topics. IFOAM EU asked then if it was needed to consult EGTOP even when there is a slight change for the conditions of use of a substance that is already allowed.

The COM answered that during the meeting of the plenary group in June, they will decide if it is possible to have a report on feed this year. During the COP meeting, the COM usually informs the member states well in advance in view of a new EGTOP's mandate and report. In the rules of procedure of EGTOP, it is only member states that can send a dossier to the EGTOP. This also ensures that member states act as a filter, regarding the high possible number of requests. EGTOP needs to be consulted every time in order to avoid that what we believe is a small change has in reality huge implications.

## **8. Follow up on the EU trade agreements : Mexico**

The COM gave a presentation on the future changes that will take place as regards trade agreements on equivalence with third countries. The equivalence recognition will expire in 2026 (except for Chile and Korea). The question is still open on the way to proceed in order to transform these administrative arrangements into bilateral trade agreements: either by renegotiating the whole agreement or transposing it as it is. Then the COM gave information on the work done as regards a future plurilateral agreement.

IFOAM EU asked the COM about the state of play of the EU/USA equivalence agreement in view of the development in USA on hydroponic production.

The COM replied that these discussions are not easy with USA as it is not possible to dictate all our standards to the USA.

## **9. AOB**

### **AOB : Presentation on AGM, the new online meeting organisation and reimbursement system**

The COM made a presentation on this new AGM system for attending the civil dialogue group meetings and for reimbursement procedure.

IFOAM EU asked a question on the documents to provide for the people that are resident in Belgium.

Copa asked the reasons why an attendee do not receive any email from the new AGM system.

The COM replied that as regards the people resident in Belgium, this issue will be solved soon, but in the meantime uploading a blank document is enough. As regards the emails to be sent out, each correspondent of each organisation is in charge of sending the correct email of the experts to the COM in order for them to receive the link from AGM.

The other AOB items requested were already addressed in the previous items.

## **4. Conclusions/recommendations/opinions**

## **5. Next steps**

## **6. Next meeting**

## **7. List of participants - Annex**

### *Disclaimer*

*"The opinions expressed in this report represent the point of view of the meeting participants from agriculturally related NGOs at community level. These opinions cannot, under any circumstances, be attributed to the European Commission. Neither the European Commission nor any person acting on behalf of the Commission is responsible for the use which might be made of the here above information."*

List of participants– Minutes

*Civil Dialogue Group "Organic Farming"*

Date: 23 May 2018

<b>Member Organisation</b>	<b>Name</b>	<b>First Name</b>
AREPO	JAUREGUI	Juan
AREPO	SCAGLIONI	Giulia
CEJA	Axelsson	Filip
CEJA	Fénix	Tomáš Ignác
CEJA	Granata	Gennaro
CEJA	Seery	John
CELCAA	Fábregas Almirall	Alexis
CELCAA	GARROTE	Mamen
CELCAA	Segurini	Lucia
COGECA	ANDERSEN	Lone
COGECA	Elo	Jaana
COGECA	Stjernholm	Sara
COGECA	VETEMAA	Airi
COPA	Benites	Cynthia
COPA	Dienel	Wolfram
COPA	Marchini	Federico
COPA	Neuhofer	Theresia
COPA	Van Zelderren	Kees

EEB	Dupeux	Berenice
EEB	KIKOU	Olga
EEB	KONTAXI	Christina
ELO asbl	ROCHA	Ana
ELO asbl	Theriaga Mendes Bernardo Gonçalves de Silva Pinto	Claudia
EOCC	Nizet	Tom
EOCC	Quintin	Aurélie
ERPA	GUYOT	Marie
EuroCommerce	VAN COUTER	Niels
Eurogroup for Animals (EFA)	PORTA	Francesca
FEFANA	CAPODIECI	Giuseppe Luca
FoodDrinkEurope	STEENBERG	Birthe
FoodDrinkEurope	WILSON	Kate
IFOAM EU Group	Atkinson	Christopher
IFOAM EU Group	BLOM	Marian
IFOAM EU Group	BUSACCA	Emanuele
IFOAM EU Group	Eigenschink	Sabine
SACAR	Dr. Kolb	Norbert
SACAR	KULLIK	Martin
SACAR	Vorss	Romans
WWF EPO	Fuentelsaz Santos	Felipe