

Information

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10 main factual errors concerning the new european organic regulation



There are many laws and regulations building the frame for an organic food sector with the main objective to continuously extend the organic food and farming system. The comprehensive regulatory framework is given by the european organic regulation, which is constantly developed further. The last revision began in 2014 and was completed in 2018 with the [new organic regulation \(EU\) 2018/848](#). It will apply from 1 January 2021.

To do away with some factual errors, the Association of organic food processors (AöL) summarized the 10 most important facts:

1. The new regulation **does not have any action or orientation levels** for residues or contaminants. She remains to be process oriented.
2. The new regulation sets **details for contact and division of responsibilities** between operators and control bodies / authorities in cases of possible non-compliances. She entitles operators to do a first evaluation of the case themselves.
3. The new regulation clarifies, that **only those substances, which are part of the organic regulatory framework** are relevant in regards to a possible non-compliance. This excludes contaminants from the environment or packaging.
4. The new regulation does not say, that from now on only those non-compliances are relevant, which can be detected directly at the product. It´s about **integrity along the production chain**.
5. The new regulation requires according to article 28 (1) a) + b) that all operators take **systematic measures to identify and avoid risks of contamination** with non-authorized products or substances.

6. The new regulation clarifies in recital 68 that this only refers to **measures, which are under the operators control**, hence it does not refer to what the neighbour is doing. This applies to farming and food businesses.
7. The new regulation clarifies, that all **precautionary measures are**, as is every other process requirement, **part of the organic certification**. Therefore these measures do not have to be documented separately by the buying companies.
8. The new regulation clarifies in article 41, that if, f.e. due to a sampling of authorities, a positive analytical finding occurs, only then **an official investigation and prohibition of placing the product on the market takes place, when the finding is substantiated**. Meaning the finding implicates a possible relevant non-compliance with the regulation.
9. The new regulation introduces **clear criteria for the recognition and withdrawal of control bodies/authorities in third countries**, to meet the existing challenges in dealing with imported goods.
10. The new regulation sets rules for topics, which mostly are already **reality in daily market life**. Therefore operators should not listen to false advisers, but always check themselves what is written in the regulation first.

Background

AöL published an [interpretation of articles 27 til 29 and 41 and 42](#) of the new organic regulation, as well as [guidelines for the assessment of cases of non-compliance](#) with the EU Regulation on organic production, with particular reference to contaminants.

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The association of organic food processors is an association of over 100 european companies of the organic food industry. Members generate an organic turnover of over four billion Euros.

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