



International Federation of  
Organic Agriculture Movements –  
EU Regional Group

**President:** Francis Blake

**Director:** Marco Schlüter

**European Office**

Rue du Commerce 124  
1000 Brussels  
Belgium

Phone: +32-2-280 12 23

Fax: +32-2-735 7381

Email: info@ifoam-eu.org

## ***Working for organic farming in Europe***

Brussels, May 19<sup>th</sup>, 2008

Ms. Dormal-Marino  
Deputy DG  
DG AGRI

Mr. Jean-Francois Hulot  
Head of Unit F5, Organic Farming

DG AGRI  
Rue de la Loi 130  
1049 Brussels  
Belgium

Dear Ms. Dormal-Marino, Dear Mr. Hulot,

### **Re: Implementing rules (AGRI/61085 of 22.04.2008)**

Thank you for giving us the opportunity to comment on the latest draft of the Implementing Rules.

We very much appreciate that a number of our comments have been addressed in this document. However, there are some critical issues that we would like to address:

Mainly, we remain gravely concerned at the chaos resulting from the postponement of the redesigned logo and the different dates for different parts of the regulation. This will have a significant impact on the implementation of the whole regulation and for the operators who will be adversely affected and we fear it will have a number of confusing and costly consequences for the organic sector. **As it seems now, the operators would have to change their packaging at least twice. This has to be avoided at all costs!**

#### **1) Unclear timing of labelling requirements**

We foresee significant implications for the operators who will face a complicated situation because the complex regulation on the labelling and use of logo are difficult to interpret and follow.

In particular we have major concerns that the different dates where different parts of the new regulation on the labelling requirements should come into force will be causing unacceptable costs and uncertainties for the sector. Already now the sector is confused as the new regulation will come into force within seven months and it is still not clear which requirements must be met and when :

- **Calculation and indication of organic ingredients**

The requirements in regulation 834/2007 on calculation and indication of organic ingredients have changed. This cause confusion and extra

costs for operators who will be forced to change their labels before 1<sup>st</sup> January 2009

- **Article 57 and 58 - Place of origin/mandatory EU logo**

As we understood the Commission, the obligatory stating of place of origin from regulation 834/2007 and the mandatory new organic EU logo are planned to be postponed to the year 2010. This means that producers are forced to change their packaging again.

- **Article 97 6. - Code number**

Further, the new requirements for design of the code number will come into force from **1<sup>st</sup> July 2010** (Article 97 6.), now defining *where* on the packaging the code number should be placed.

- **Article 97 7. -Transitional requirements**

The transitional requirements for use of existing stocks of packaging material and packaged food in Article 97.7 run until **1<sup>st</sup> January 2012** (*We fully support the flexibility this gives but are concerned with the fact that it adds another date to communicate to the sector*).

The overlapping requirements in the mentioned paragraphs lead to confusion because of the different dates involved, and further cause undue expenses for the processors who will be forced to change their labelling more than once over a short period of time.

On behalf of the European organic sector, our strong message is that partial delay as it is planned now is not an option! We foresee a situation that will leave operators with the nightmare of trying to decipher exactly what they have to comply with and when, including the prospect of having to make expensive labelling changes in progressive steps.

### **We see two possible solutions:**

a) The IFOAM EU group firmly believes the simplest, most elegant and, importantly, most popular solution would be **to withdraw the requirement for the EU logo to be mandatory!** Then regulation 834/2007 can apply in full as from 1<sup>st</sup> January 2009 without hindrance and complication.

b) As we see it, the only viable alternative to this approach is **to delay the implementation of the whole regulation.** This would have the advantage of allowing more time to ensure clear and functional implementing rules which is the common interest of the organic sector as well as national and EU authorities.

## **2. Other critical issues:**

International Federation of  
Organic Agriculture Movements –  
EU Regional Group

**President:** Francis Blake

**Director:** Marco Schlüter

**European Office**

Rue du Commerce 124  
1000 Brussels  
Belgium

Phone: +32-2-280 12 23

Fax: +32-2-735 7381

Email: [info@ifoam-eu.org](mailto:info@ifoam-eu.org)

**Article 95.2 (b) and (c) – Provision of statistical information**

As laid down in Article 93 inspection bodies have to collect the data given in these paragraphs. Absolutely new is the requirement for collecting tonnes of crop production and kilos/litres of animal production. To do so and deliver these data in an electronic way is an unreasonable and unacceptable burden for the inspection bodies and the organic operators, notwithstanding the fact, that complete data cannot be determined on the day of the annual inspection.

**Article 95.2 (d)** The wording is unclear: What is meant by “industrial production” and “type of activity”? Without knowing what is meant it cannot be accepted.

To commission the inspection bodies with collecting and delivering these data is an unreasonable burden for the organic inspection system causing a grave rise in costs that will have to be covered by the inspection bodies and their contracting partners (organic farmers, processors and trades and at least by the consumers).

We therefore suggest that the EU Commission applies similar collecting methods to the ones used in the conventional sector. Anything else is an unequal treatment and extra burden to the whole organic sector, hampering its competitiveness.

The relevant articles in the draft implementing rules are absolutely unacceptable for the sector!

**Article 97.3 Castration of piglets**

We appreciate the approach to set an end to castration of pigs without anaesthesia. But as this is a new provision the sector needs time to adapt. We feel that the dead line given in the implementing rules is too short. Alternatives have to be developed and introduced on the basis of evaluation of practise and possible alternatives. Furthermore we find it incomprehensible to introduce very new provisions like that one at this stage of the development of the NIROF and therefore unacceptable.

We hope that you will recognise the validity of these arguments; we therefore urge you to listen to the sector and take these points on board, and thank you for your consideration.

With best wishes,

Yours sincerely,

A handwritten signature in black ink, appearing to read "Francis Blake".

Francis Blake  
President

(Copied to SCOF)