



Mrs Mariann Fischer Boel
Commissioner for Agriculture
European Commission
Rue de la Loi 200
1049 Brussels
Belgium

Re: Submission of the international Fair Trade movement¹ on the Proposal for a Council Regulation on organic production and labelling of organic products

Brussels, 24th July 2006

Dear Commissioner,

The Fair Trade movement brings together over one million Fair Trade producers, 20 national labelling initiatives, more than 200 importers, 3000 specialized retailers (Worldshops) and several thousands volunteers. Sustainable methods of production such as integrated crop management and the compliance with environmental standards form integral parts of the Fair Trade system. Moreover, many Fair Trade products, e.g. nearly 85 percent of Fair Trade certified coffee, are also certified organic. The Fair Trade movement has therefore a great interest in the European Regulation on Organic Farming, particularly concerning its impact on producers in Developing Countries.

We would like to congratulate the Commission on the development of the new regulation proposal and we welcome the amendments that have been put forward recently by the Austrian and Finnish Presidency. We would like to make the following comments from a Fair Trade perspective:

1) Imports

We welcome the changes being proposed to the import process for products entering the European Community from third countries. This is a progressive step that will have a significant impact on trade as well as simplify the access to market for many third country producers.

In this context, we would like to ask you for clarification on some points:

a) What will be the criteria for judging equivalence with CODEX?

In terms of the new proposal for replacing the current article 11.6, we would like to understand:

¹ The international Fair Trade movement is organized in four international associations: FLO (Fairtrade Labeling Organizations International), IFAT (International Fair Trade Association), NEWS! (Network of European Worldshops) and EFTA (European Fair Trade Association)

- b) What will be the schedule for implementation? The new regulation will come into force in January 2007, but in terms of the process for certifiers to apply to the Commission or the expert group, when will this begin and is there a protocol or a set of procedures that need to be followed by the applicant certifier?

2) European Logo

We welcome the proposals for the use of the European Logo for products from third countries. Many producers have worked hard to meet the requirements of the European regulations and are sometimes faced with difficulties in gaining real access to markets when home country certifiers have issues with “equivalence” to their standards that can sometimes hamper trade. Access to a harmonised European Logo will greatly improve free circulation and we congratulate the Commission on this proposal.

We would like to emphasise the importance for the logo to be accessible to all organic producers, including producers from third countries. We would argue that all third country operators through their accredited certifiers (to 45011 or ISO 65) that will also meet the approval process (as certifiers) for the new import regime should have access to the EU logo, having been assessed and approved on both grounds. In this context it is particularly important that third country producers are also allowed to use the wording, e.g. “EU Organic”, either accompanying the logo or independently.

3) Genetically Modified Organisms

We are concerned about the issue of GMOs. European consumers do not want GMO contamination of organic products and the regulation should be more supportive of this.

The proposal must therefore give an indication for an effective coexistence regime that places responsibility on the GM industry to contain their contamination, and include full liability based on the ‘polluter pays’ principle, so that the organic sector and consumer choice are properly protected. We would also recommend some guidance on sampling procedures and testing methods. Although testing procedures are somewhat covered in Regulation 882 (requirements on use of accredited labs), it is not really clear on how it would apply to organic.

4) Flexibility

We welcome the provisions for greater flexibility within this new proposal and would also welcome a greater role for operators to help them maintain compliance with the requirements.

5) Private Logos

Given the continuance of private standards and through them, private logos within the organic sector, we would like to see the issue of equivalence being resolved as quickly as possible. The proposed text from Article 27, Para 3:

A control body may not refuse to grant certificates or the use of its mark of conformity for any product that has been certified by another approved control body, where the latter control body has assessed and certified conformity with organic standards equivalent to those of the first control body.

Fair Trade Advocacy Office

Rue de la Charité, 43 – B-1210 Bruxelles – Belgique

Tel : +32 2 217 36 17 – Fax: +32 2 217 37 98 – Mail: info@fairtrade-advocacy.org
www.fairtrade.net www.ifat.org www.eftafairtrade.org www.worldshops.net

A control body which refuses to grant a certificate or the use of its mark of conformity, shall provide proof that the organic standards under which the product concerned has already been certified are not equivalent to its own standards.

Fees collected for the granting of the certificate or the mark of conformity shall be reasonable.

The text proposed by the Commission, puts the onus of proving “non-equivalence” with the home certification body to highlight where there are differences in the standards that mean that they cannot be equivalent. This is the right way round as it can only be the home certification body that will know where and how they feel the standards differ.

Over the years, this area has been a very contentious one for trade with third countries as some certifiers based in the EU make trade in organic product certified by local third country certification bodies slow, difficult and sometimes impossible. This means that producers are being forced to choose only certain certifiers, which may not be the best for development of the local sector.

We therefore support the text and wording that puts the onus on the home certifiers to prove “non-equivalence”.

We would also recognise that there might be some issues that might need to be resolved in terms of “trade mark laws”.

6) Risk Assessment

We welcome the inclusion of a greater emphasis on risk assessment being used within the control measures as outlined in regulation 882. We would like to work more with the Commission to understand how the requirements of regulation 882 will be applied to the new proposal.

Additionally, we would request some time for reflection and discussion on the proposal so that more operators and third parties can understand the potential impacts and changes they will be required to make.

We thank you very much for the opportunity to attend the DG Agriculture Advisory Group meetings on Organic Farming and hope to participate further in this process .

With the very best regards,

Nabs Suma

Fair Trade representative on Organic Farming for FLO, IFAT, EFTA, NEWS

Anja Osterhaus

Fair Trade Advocacy Co-ordinator

Fair Trade Advocacy Office

Rue de la Charité, 43 – B-1210 Bruxelles – Belgique

Tel : +32 2 217 36 17 – Fax: +32 2 217 37 98 – Mail: info@fairtrade-advocacy.org
www.fairtrade.net www.ifat.org www.eftafairtrade.org www.worldshops.net