

Revision of the Organic Regulation 2092/91

Dear Members,

I have the pleasure to present to you the second version of our **Revision Newsletter**. Due to the enormous importance of this subject for the whole organic movement, we want to keep you, our members, informed about all issues concerning the revision.

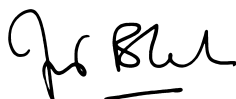
It was in September 2005 when the European Commission published a staff [working document](#), sent to the member states and stakeholders with a consultation period of three weeks only. What followed is well-known: on 21st December 2005, the European Commission issued its proposal for a revision of the EU Regulation 2092/91 on organic agriculture; the European Council is discussing the topic since the beginning of the year trying to reach political agreement.

All year, the IFOAM EU Group has been lobbying EU decision makers for an appropriate, practical and visionary organic regulation. We have succeeded in several points. The proposal was not, as originally foreseen, decided by July 2006 under the Austrian Presidency - we convinced the Presidency that quality has to prevail over speed. More recently, we have achieved significant improvements in the latest Council documents e.g. concerning the restriction on private labels.

However, the latest political development is worrying as the **Finnish Presidency** is pressing to reach a '**general agreement**' in the **Council of ministers next Tuesday, 19th December**. If this happens, it would come close to a binding 'political agreement', despite an outstanding report from the European Parliament and despite the significant concerns that still exist. This procedure would not allow time for member states to make the necessary changes to achieve a sound regulation. Therefore, we continue to urge the Council not to take any decision and to let the German Presidency continue the process through the first half of next year.

I wish you all the best for Christmas and the New Year, whatever it may bring us!

Yours sincerely



Francis Blake, President



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Intro: How to use the newsletter?

This newsletter is a follow-up of the IFOAM EU Group’s July revision newsletter. For a better understanding we recommend, if not already done, to read first the former version, as this newsletter builds directly on that.

The July [newsletter](#) can be downloaded in 14 different languages:
[EN](#); [FR](#); [DE](#); [EL](#); [ES](#); [PT](#); [IT](#); [HU](#); [PL](#); [SK](#); [NL](#); [BG](#); [NO](#); [EE](#); [DK](#)

For further information, please refer to our revision webpage, which was set up in July 2006 to ensure that you, our members, can keep up-to-date:

http://www.ifoam.org/about_ifoam/around_world/eu_group/web_Revision/Revision_info_page.html

If you have any other questions please contact your [national board member](#).

1. The Political Process under the Finnish Presidency- Political Roadmap since July 2006

1.1 The Political Decision Making Process

The main political discussion about the European Commission's revision proposal took place during the last half year in the Council of ministers and the Council working group. The Council of ministers, composed of member state ministers, must adopt the Commission proposal or any compromise paper with a two-thirds majority before it can come into force.

After the European Commission publishes a legislative proposal, it has officially a passive role. However, the Commission has to agree on any change to its proposal. Failing that, the Council would have to vote unanimously for its own compromise text. Thus, the Commission remains a powerful player throughout all the negotiations.

The European Parliament has, contrary to other political areas, only an advising role on agricultural issues. This means that the European Parliament must provide an 'Opinion', but it has no power of 'co-decision' with the Council.

1.2 The Process in the Council

Politically the decision is now in the hands of the Council. Finland started its Council Presidency in July by publishing, with the outgoing Austrian Presidency, a joint [compromise paper](#). Based on this

Organic Revision: What happened during the Finnish Presidency? Overview of the political process

For an overview of the political process since the beginning, please see our first revision [newsletter](#).

28 June 2006

- Austrian Presidency and new Finnish Presidency draw up new compromise paper

1 July 2006 – 31 December 2006

- Finnish Council Presidency takes over from the Austrian Presidency

July – October 2006

- Intensive negotiation in the Council working group on the revision

October 2006

- Finnish Presidency stops technical discussion and puts the issue onto the political level in the Special Committee on Agriculture

25 October

- Finnish Presidency publishes new compromise paper

9 November

- France and Germany forward joint amendments to Finnish Presidency

23 November

- Finnish Presidency comes up with new proposals for some articles

27 November; 6 & 12 December

- Special Committee on Agriculture discusses imports and revision

30 November & 7 December

- Finnish Presidency forwards to Member States new compromise paper on organic imports and the revision proposal

paper, the Finnish Presidency continued to organise the discussion in the Council Working Group into October. There were intensive discussions - the IFOAM EU Group

continued to contribute with proposals for improvements.

At the end of October, the Presidency declared the end of the technical discussion and forwarded the file to the Special Committee on Agriculture. This is a political committee with the task to advise the Council of ministers and to prepare their decisions. The aim was clearly to finalise negotiations by the end of the year as both the Presidency and the Commission wanted to close the file.

This step was surprising as the Finnish Presidency had just published a [third compromise paper](#) on 25th October. These included new elements, such as that the EU logo becomes mandatory, a requirement for indication of origin on certain products, new proposals for certifying yeast and seaweed.

As the Special Committee on Agriculture has no involvement of organic experts, the IFOAM EU Group was concerned that an appropriate technical discussion would not be possible any more. At the same time, the Group assessed the compromise paper as not mature enough to build a sound basis for the future of organic food and farming. Therefore the IFOAM EU Group intensified the discussion with the European Commission, Member States and the Finnish Presidency asking them to take sufficient time to get the regulation right (see 2 below).

On 9th November, France and Germany came up with a [proposal for amending](#) the Finnish compromise paper. Finland reacted with a revision of some articles providing a [new paper](#) (23rd November) to Member States. Although there are still technical shortcomings to be solved and points to be improved the paper contained major improvements in the articles concerning the restrictions on the private sector (Deletion of Article 20 and 24).

The latest political developments show that Finland aims to finalise the procedure in its Presidency. They are hoping to come to a 'general agreement' in the Council of Ministers next week (19th December) based on a new compromise text (not available yet).

If this happens, it would be considered as a 'political agreement', despite the Opinion of the European Parliament still being outstanding. The procedure would not allow any major changes, besides minor technical amendments.

The IFOAM EU Group has expressed its concern at the pressure to reach a final general decision on the proposal for a revision of Regulation 2092/91 at December's Council meeting. More time and more work is needed to bring it to a mature and successful end.

1.3 Organic Imports

The derogation for organic imports will end with this year. Therefore the European Commission planned to amend regulation 2092/91 and find a more permanent solution. The Council aims to adopt a compromise paper (part [1](#) & [2](#)) by the end of the year. Several meetings in the Special Committee on Agriculture were dealing with the

topic. The Council of ministers will finally decide on 19-20 December.

IFOAM in conjunction with the IFOAM EU Group reacted on the import proposals of the Commission to assure a fair and equal treatment of EU organic products and imports from third countries (see point 2.3).

1.4 The European Parliament in the Revision Process

The European Parliament has to provide a report (its 'Opinion') on both the regulation proposal and the imports proposal. The Council can only officially decide after the Parliament adopts its Opinion. On 28th September, it adopted its [report on imports](#).

implementing rules before the Parliament decides on its report. The European Commission has provided an [outline of the implementing rules](#). This is an analysis table showing how the Commission intends to transform the existing annexes (and other parts) into the new Regulation.

The Opinion on the revision proposal will not be finalised until at least March 2007. On 8th June, the Parliament's rapporteur for the organic regulation revision proposal, French MEP [Marie-Hélène Aubert](#), has produced a [working document](#). In this, the Commission was asked to come up first with the detailed

Meanwhile it is expected that the Agriculture Committee of the Parliament will discuss the dossier on 18th December and again in February, before it can be finally adopted by the plenary of the Parliament in March 2007.

2. IFOAM EU Group Communicating to Policy Decision Makers

The IFOAM EU Group has had extensive communication with policy makers of the EU institutions. This advocacy work was, and is,

based on the [crucial points](#) the IFOAM EU Group identified as necessary to achieve a successful regulation.

2.1 IFOAM EU Group Met Finnish EU Presidency in Helsinki (22.09.2006)

On September 22 a delegation of the IFOAM EU Group met the Finnish minister of Agriculture and Forestry, Juha Korkeaoja. The delegation explained the major concerns of the sector and the agreed on future cooperation with the Finnish Presidency.

The major topics discussed were:

- The need for proper stakeholder involvement.
- Establishing the principle of public/private partnership and the vital role private bodies play in developing standards, driving innovation and stimulating the market.
- The concerns about unnecessary restriction on private labelling and advertising claims Recognition of IFOAM accreditation as an internationally applied, dedicated organic accreditation system.



From the left: Francis Blake (IFOAM EU Group, president), Marianne Schönning (Vice-President, IFOAM EU Group), Finnish Minister Korkeaoja, Thomas Dosch (IFOAM EU Group, German board member) Berit Korpilo (Finnish ministry), Arja Peltomäki (Luomu)

2.2 IFOAM EU Group Published Position Paper on Stakeholder Involvement (September)

In September 2006, the IFOAM EU Group published its [position paper on stakeholder involvement](#). The paper was following up one of the Group's major criticisms of the regulation proposal. This was that the organic sector was not sufficiently involved in the process and that also the proposal does not include any stronger involvement in the future.

The paper outlines the fact that the organic food and farming sector has been developed by a dynamic

cooperation between all market actors, consumers, and environmentalists long before there was a common EU legislation in force. It is of fundamental importance for future dynamic development and the credibility of the legislation that the stakeholders' ownership and engagement is preserved in order to secure the unique character of an organic farming regulation. Opposite to classic legislation, the organic legislation is a bottom up regulation.

2.3 IFOAM EU Group Addressed the Finnish Presidency (July-December)

The IFOAM EU Group in conjunction with IFOAM head office were communicating frequently with the Finnish Presidency on different matters of the revision process. Beside the meeting with the Finnish Presidency (see 2.1 above) the Group provided many suggestions for improving the different compromise texts.

When the Finnish Presidency forwarded the process from the more technical Council working group to the political Special Committee on Agriculture the IFOAM EU Group was worried that the proposal was still not ready to be decided.

- **18th October 2006** - [IFOAM EU Group letter](#) to the Finnish Presidency commenting the timetable and content of new compromise papers.
- **26th October 2006** - [Letter](#) to the Finnish Presidency commenting on the articles on GMOs.
- **13th November 2006** - [IFOAM letter](#) to the Finnish Presidency on imports.
- **24th November 2006** - [IFOAM EU letter](#) to the Finnish Presidency urging proper consideration of the German-French proposal amending the Finnish compromise paper and imports (see also [press release](#))
- **28th November 2006** - [IFOAM EU Group letter](#) referring to the revision and organic processed food.
- **4th December 2006** - [IFOAM Letter](#) to the Finnish Presidency on imports regarding the Finnish Presidency text from 30/11/2006.

2.4 IFOAM EU Group Communication with Delegation of the European Commission (August-October)

During the summer and until October, the IFOAM EU Group had several meetings with a high level delegation of the European Commission. The meetings helped to clarify the respective views of the organic sector and the European

Commission. They led to a better mutual understanding on several crucial points and intentions. It is now important that the Commission supports necessary changes in these main areas of concern which the meetings identified.

2.5 IFOAM EU Group Met Commissioner Fischer Boel (13.11.2006)

On 13th November, the IFOAM EU Group met with the European Commissioner for Agriculture and Rural Development, Mariann Fischer Boel. The delegation emphasised the [major problems](#) which would hamper the private sector from playing a crucial role in developing organic farming in the EU. On the other hand the Group acknowledged the progress in the [latest compromise](#) paper of the Finnish Presidency from 25/10/2006.

“We share the European institutions’ aims that the new organic regulation will enable a successful organic sector. This must happen without creating additional bureaucracy, but we fear the proposal does not deliver this”, said Francis Blake, president of the IFOAM EU Group. “Under the flag of the Lisbon Strategy, the EU wants to strengthen innovation and competitiveness, and wants to simplify EU legislation. As it is now, the new regulation contradicts this.”

As a conclusion the Group asked the Commission to give enough time to reach a successful regulation.



From the left: Knud Erik Sørensen (IFOAM EU Group, Danish board member), Thomas Dosch (IFOAM EU Group, German board member), Commissioner Fischer Boel, Francis Blake (IFOAM EU Group, president), Marco Schlüter (IFOAM EU Group, director), Sybille Kyed (IFOAM EU Group)

In a [letter to the Commissioner](#) following the meeting, the IFOAM EU Group summarised the areas it considers as necessary to improve.

3. How the Process Will Continue?

The Finnish Presidency aims to progress as much as possible until the end of the year. The Council of ministers will meet under the Finnish Presidency a last time on 19-20 December 2006. It is expected that the Council will approve the regulation regarding organic imports.

Concerning the revision proposal for a new organic regulation, the

Finnish Presidency is expected to forward a final compromise paper to the Member States to come to a “general approach”. This has to be considered equal to a political agreement. As the Council has officially to wait until the European Parliament has provided its report, there will be no official agreement before March 2007.

On 1st January 2007, Germany will take over the presidency from Finland. If the Finnish Presidency secures an agreement before Christmas, the German Presidency will only have the possibility of slight technical amendments.

It is now of great importance that the organic sector in each country lobbies its ministry to NOT agree on a final text next week in the Council, so that the discussion will not be closed. There is still much work to do to achieve an appropriate and mature regulation.

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Please send any comments on the newsletter to info@ifoam-eu.org. For further information contact your national board member or the office in Brussels.

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