

Risk based inspections

Proposal for the implementing rules

6th August 2007

Background

Article 27.3 of the new Council regulation on organic farming (no. 834/2007) includes a new concept of risk assessment to determine the nature and frequency of controls on operators.

The IFOAM EU Group has reviewed and consulted on this aspect of the new regulation and details below its initial proposals.

1. General proposal

The implementing rules should:

- contain basic principles,
- outline the general risk categories
- provide for a range of tools for verification of compliance, and
- clarify the responsibility of the different partners involved.

The rules should not be too detailed, as it will be important to allow a flexible adoption of this new control instrument to the needs of the different countries and different types of operators.

2. Principles

- The risk profile of each operator is determined based on the general categories below.
- More detailed risk criteria and how they are implemented are formulated at the member state level.
- The risk approach can determine both increased and reduced frequency of inspections, as well as the nature of those inspections.
- As a minimum, 'verification of compliance' means a proactive assessment of compliance based on documentation supplied by the operator.
- A proportion of lower risk operators must be subject to full physical inspections every year to ensure that the risk-based approach is working effectively.
- The detailed criteria and how they are implemented by member states, together with summaries of the nature and frequency of controls carried out by each control body are publicly available.

3. General risk categories

- Number of years certified organic and previous use of land/premises.
- Changes in management personnel / understanding of organic standards.

- Scale and type of the organic operation (including external and internal threats, such as GM/pesticide contamination risks, cross-border trading, cross-certification body distribution/processing chains).
- Dedicated or non-dedicated operation.
- Results of former inspections (special permissions, derogations, non-compliance, irregularities, etc).
- Complaints received and other integrity questions.
- Established quality management systems including internal control instruments.
- Inspector assessment of the operation.
- Any other issues of concern noted in the certification process.

4. Tools for verification of compliance

The new regulation states that all operators – with the exception of wholesalers (etc.) – shall be subject to a verification of compliance once a year. The requirement of one yearly full physical inspection of all operators is removed.

Therefore the implementation rules should provide for the possibility to establish different verification tools, such as:

- supply of information and data,
- checking of documentation and records,
- annual inspection focussing on specific inspection tasks or risk areas,
- annual or more frequent full inspections,
- unannounced inspections,
- sampling and testing,
- inspecting the internal control system of cooperating operators
- cross control.

5. Responsibility of the different partners

The Commission:

- sets the overall framework,
- reviews the measures adopted in each member state,
- monitors the application of those measures,
- publishes its findings.

The Member State competent authority:

- defines the detailed criteria and how they are to be implemented,
- monitors the application of those criteria by control bodies,
- reports to the Commission annually.

The control body:

- classifies the operators based on the detailed risk criteria,
- applies this classification to its inspection activities,
- carries out a statistically significant number of full checking inspections to monitor effectiveness of the system,
- reports to the competent authority annually.