



GIZ – Webinars for Africa: FAQ

Conducted by GfRS from 25/10/2021 - 15-11-2021



Implemented by



Supported by



GIZ project – Q&A

1. Questions – Answers (English)

DISCLAIMER: GfRS declares that the answers given in this document are based on the best available knowledge at the time of writing this document. Nothing written in here should be used as a legal basis.

1.1. Conversion

The new organic Regulation will impact the areas which can be certified as organic?

The rules for converting and completing the conversion of parcels have not changed and the area limitations mentioned only apply in the case of group certification. A larger producer can still be certified on an individual basis.

How to proceed with the recognition of conversion plot if there is no certification body?

The Regulation provides that "The conversion period of the individual plot(s) shall begin at the earliest when the farmer or operator producing algae or aquaculture animals has notified his activity [...]".

What would be the “organic” status of fallow from the point of view of certification bodies ?

A fallow area is not automatically an area on which production or collection gives the right to use the term "organic". On the other hand, for the recognition of a previous conversion period of the land, it is provided that the owner or user makes a request for retroactive recognition of the conversion period of the area concerned. In this case, the owner or user sets up a complete file for this area and asks his certification body to study the case and decide on the question of recognizing the conversion period retroactively. An on-site visit of the certification body including sampling is required.

Who takes the sample from the conversion land for which retroactive recognition of the conversion period is asked ?

The certification body.

1.2. Plant production

1.2.1. Soil fertility

What are the names of some plants used for soil fertility ?

The Sesbania sesban as a good legume and animal fodder. There are others like different varieties of acacia trees, crotalaria to increase organic matter in the soil, and vetiver grass for stopping soils erosion.

How simple can a smallholder farmer process the animal manure before use?

This question cannot be answered by referring to the organic regulation. Unlike the USDA Regulation for organic production, the EU Regulation for organic production does not impose durations or other composting requirements (like temperature).

If you supply inputs with the active ingredients or products used in those inputs listed in the annexes, is it necessary to have those inputs certified?

Inputs said to be approved for organic farming are not always compliant with the EU organic regulation. Therefore, it is recommended that they are certified on the basis of private standards, for example, a private standard of the certification body itself. But this is not an obligation.

Is it mandatory from one season to the next to do crops rotation ? And how do we manage this rotation if we don't have a market for certain rotation crops?

Yes, the Regulation sets crops rotation as an obligation. There is only a few exceptions: pastures, perennial fodder and perennial crops. The planned crop rotation must include legumes as the main crop or cover crop for rotational crops and other green manure crops. In other words, crops rotation is mandatory as a measure to preserve and increase soil fertility and biological activity. For perennial crops, cover crops and green manure shall be used.

1.2.2. Parallel production

What about parallel production ? e.g. Can I grow organic oranges and then buy a new plot and continue to manage it non-organic ?

In the case of perennial crops -and under the compliant production rules, it's allowed to grow organic oranges and a buy new plot with existing oranges trees where you continue to grow oranges but not yet organically from the moment of purchasing the new plot. However, you cannot continue this situation for more than two years. The whole area with orange trees must have ended its conversion period in maximum 5 years. Taking into account that it takes three years to convert the orange trees, you'll have to start growing all the oranges under organic management from the beginning of the third year. There are of course important conditions to be respected

Is parallel production authorized for group members ?

From the regulation perspective it is not prohibited. However, if the group authorizes this in practice, it will require a very complicated organization, trainings, record keeping to keep track of all the potential changes at members level and mandatory follow up during harvest time. Very frequently, smallholders are not able to guarantee the separation between the organic and the conventional part, so full conversion of smallholder farms to organic is recommended.

Please explain what is a holding with organic, in-conversion and non-organic production units?

A holding is the term used in the regulation to refer to a farm. According to the new regulation, a farm can have three types of production units simultaneously and without limitation in time: organic, in-conversion and non-organic. Attention, this is only allowed when there is complete separation between those units. When the field is managed organically and has ended its conversion period, it's an organic production unit. When the field is managed organically but has not yet finished the conversion period: it's an in-conversion production unit. When the field is not managed organically, it's a non-organic production unit.

Is parallel production allowed in annual crops?

It is not allowed to grow the same variety simultaneously under organic and conventional production and crops of different variety must be easily distinguishable

1.2.3. Plant reproductive material

The non-organic seeds spend 3 years in conversion, what about the organic seeds?

The production of in-conversion seeds takes 12 months because products which are harvested or taken from crops which are under organic management during 12 months can be labelled as 'in-conversion', including plant reproductive material. The production of organic plant reproductive material takes longer. The land on which the annual plants are growing must have ended its conversion period of two years and what's planted/sown after those two years can be labelled as organic plant reproductive material. The land on which perennial crops are growing ends its conversion after three years.

If you do not have organic certified seeds, can you use what you have without considering the level of generation ?

Farmers can use their own seeds. For certain crops, it is not possible to reuse products from your own harvest for sowing next season obtaining the same results (yields) because for many commercial crops, the first generation is a hybrid (the next generation demonstrates different characteristics and results in lower yields like e.g. reuse of corn and soybeans).

Will the crop be sold as organic if using in-conversion PRM on organic land ?

The in-conversion or organic quality of the plant products depends on the duration of conversion of the land on which the plants are growing, not on the quality of the seeds. Plants and plant products can be labelled as "in-conversion" when they are harvested at least 12 months after the start of the conversion period. Plants and plant products of annual crops can be labelled as organic when they have been sown at least 24 months after the start of the conversion period.

Can we start organic production with seeds produced in conventional plots?

Producers must first look for organic seeds. If they do not find any, it is allowed to use "in-conversion" seeds with prior approval of the certification body. If there is no organic or in-conversion seed, producers may request an approval of their certification body to use seed from conventional plots as long as such seed has not been treated with products/substances that are not authorised in organic farming. The approval must be obtained before sowing. (Non)availability is limited by the offer of the operator's country.

Can a certified organic group sell pineapple shoots as organic reproductive material?

Yes. Shoots will be covered by category (a) in the new model certificate.

1.2.4. Collection

What about wild collection with regards to group size and land size?

There are no limitations for groups involved in wild collection.

1.2.5. Buffer zones and other precautionary measures

Do the new changes indicate specific distances for buffer to neighbours, water bodies, forest in respect to farm sizes as precautionary measures ?

The new Regulation does not specify any precise distances. The Regulation refers to proportionate precautionary measures. It depends on the local situation. In case of low to the ground growing annual crops at the neighbor (possibly sprayed downwards), the buffer zone can be smaller than in case of fruit tree production (possibly sprayed upwards), buffer zones can be on the side of the non-organic farmer or shared etc., ...

Regarding the separation between organic production unit and conventional unit, is there a standard in terms of distance (a limit distance) or a physical separation (walls, windbreaks) that could be enough whatever the products used ?

The regulation requires that separation is effective and it must also be reflected in the records and bookkeeping. The regulation does not identify distances between organic and in-conversion fields and non-organic fields to guarantee physical separation.

1.3. Products and substances authorized in organic production

1.3.1. Products authorized in organic production

What is the solution use in place of OMO ? Can it be used in washing processing equipment in shea butter production?

For official solutions to be applied in the compliance regime, it's too early to tell. But under the equivalent certification body standards, the certification body may include natural soap to replace the OMO.

Do I need to notify the updating of cleaning records and the products used for cleaning?

Yes

Where can I find the lists of products and substances ?

The lists of products authorized for the EU from 2022 are set out in Regulation (EU) 2021/1165. <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:32021R1165>

What does it mean "the natural products" ?

Currently, certification bodies certify products on the basis of their own specifications (and control measures). In these specifications, in most cases, there are also lists with products and substances. In order to remain "equivalent" with the current Organic Regulation, the content of these lists is often identical or contains a few additional products. The products accepted by the certification body are products that respect the same principles as the products authorized in the EU: for example not obtained using chemicals, not polluting etc. An example of products authorized as a cleaning and disinfection product in production units (even post-harvest) is natural soap (Standard Certification body X, Book 2, Annex VII).

ANNEXE VII

Produits de nettoyage et de désinfection visés à l'article 12, paragraphe 1 point j de livre I.

- Savon potassique et sodique
- Eau et Vapeur d'eau
- Lait de chaux
- Chaux
- Chaux vive
- Hypochlorite de sodium (notamment sous forme de javel)
- Soude caustique
- Potasse caustique
- Peroxyde d'Hydrogène (H₂O₂)
- Essences naturelles de plantes
- Acide citrique, acide peracétique, acide formique, acide lactique, acide oxalique et acide acétique
- Alcool
- Acide nitrique
- Acide phosphorique
- Formaldéhyde
- Carbonate de sodium

Only available in french on the website.

What inputs can be used for hot water soaking for packaging?

The list of inputs that can be used for packaging is set out in Annex V of Regulation 2021/1165.

1.3.2. Plant protection products (plant protection)

For active ingredients concerning organic pest control products, how does organic certification take them into account?

To control pests in the fields, only methods using authorised active substances are allowed. Farmers must be able to demonstrate compliance via their records and technical information accompanying the products and substances they have used. In the EU, in the labelling of products used for plant protection, the active substance must be indicated. In the storage places, the same methods as in the fields are allowed but also the "pest control" carried out by professional companies that can guarantee the total separation between the toxic products used in the traps. There are also differences between the use of these kinds of products inside and outside buildings.

Who can submit a dossier about the addition of plant protection products ? What criteria are used to analyze whether or not to add the product to the Annex? If the product is authorized, is it authorized for all producers for all third countries?

The application for such a product/substance can only be made by a EU recognized certification body. The request must be addressed to the European Commission. The application concerns the specific authorization in a specific region outside the EU. The Commission shall inform the Member States and make public the list of such requests. The Commission analyses the application and authorizes the use of the product(s) applied for on the basis of three criteria: (i) such a specific authorization must be justified in the region concerned, (ii) the product/substance concerned complies with the principles of organic farming, the criteria set out in Article 24(3) and the condition

set out in Article 24(5) of Regulation 2018/848 and (iii) the use of the product/substance complies with the relevant provisions of Union law and in particular, for active substances contained in plant protection products, with Regulation (EC) No 396/2005 of the European Parliament and of the Council.

Has the new Regulation reviewed the floral induction treatment products of pineapple?

Floral induction of pineapple using CaC₂ was not allowed and will not be allowed. The use of ethylene was allowed without conditions on all crops but it will only be allowed for some crops from 1/1/2022 (on bananas and potatoes. It may also be used on citrus as part of the strategy to prevent damage by the fruit fly). This means that the use of ethylene in pineapple cultivation will be prohibited after 31/12/2021.

1.4. Certification

Do certification bodies have their own forms to fill in?

Yes, but such forms are not systematically available on the certification body website for comparison or selection of certification body.

What does it mean to have one product category to one certification body ?

An operator can only be in possession of a certificate issued by one certification body for the same product category. An operator producing wheat and soybeans and selling both as unprocessed products, can only have one certification body.

What is the difference between preparation and processing ? (for example : if the operator is only doing peeling, cutting, slicing of fruit and packing of fruit (e.g. Pineapple, is it a preparation or processing ?)

- "Preparation" is a combination of 4 activities: (i) preserving, (ii) processing, (iii) any other operation carried out on unprocessed products without altering the initial product (slaughtering, cutting, cleaning or milling) as well as (iv) packaging, (v) labelling or alterations made to labelling relating to organic production.
- "Processing" means any action that substantially alters the initial product, including heating, smoking, curing, maturing, drying, marinating, extraction, extrusion or a combination of those processes;
- 852/2004 art 2(n) "unprocessed products" means foodstuffs that have not undergone processing, and includes products that have been divided, parted, severed, sliced, boned, minced, skinned, ground, cut, cleaned, trimmed, husked, milled, chilled, frozen, deep-frozen or thawed;
- 852/2004 art 2(o) "processed products" means foodstuffs resulting from the processing of unprocessed products. These products may contain ingredients that are necessary for their manufacture or to give them specific characteristics.
- Peeling + cutting + slicing + packing = preparation.
- Peeled, cut, sliced and packaged products are unprocessed products.

Does peeling and drying of cassava root by the household qualify as 'processing'?

Yes. To answer this question, definitions from EU Regulation 852/2004 apply:

- 852/2004 art 2(m) "processing" means any action that substantially alters the initial product, including heating, smoking, curing, maturing, drying, marinating, extraction, extrusion or a combination of those processes;

- 852/2004 art 2(n) "unprocessed products" means foodstuffs that have not undergone processing, and includes products that have been divided, parted, severed, sliced, boned, minced, skinned, ground, cut, cleaned, trimmed, husked, milled, chilled, frozen, deep-frozen or thawed;
- 852/2004 art 2(o) "processed products" means foodstuffs resulting from the processing of unprocessed products. These products may contain ingredients that are necessary for their manufacture or to give them specific characteristics.

Could you use of an Ozonator (to clean fruits and vegetables and remove pesticides) to sell the product as organic ?

No, organic agriculture is more than just residue free. Organic is also about soil management and all others requirements present in the Regulations. It's not authorized to use an ozonator to remove traces of residues on non-organic products and by doing so, expecting to turn them into residue free and therefore organic products. That is not authorized at all. However, the use of an ozonator in organic production is authorized to treat water or other surfaces that are in contact with organic products, but not the organic products themselves.

What about the certification for non-groups, as an individual farm ?

It is completely possible. Preferably convert the whole farm to organic production.

When a product is sold from the group to a trader, the trader to the processors, etc., what do you need for the transfers within Africa ?

Organic products must be identified and traceable at all times, anywhere in the value chain. Working with transaction certificates is one of solutions to achieve that objective. The Regulation contains instructions for the certification body when verifying consignments intended for import in the EU. This includes a systematic documentary check and, as appropriate according to the risk assessment, physical checks before the consignment leaves the third country of export or of origin. For consignments made out of bulk organic products, the certification body must draw up a travel plan from the third country (of origin or of export) to the Union. For consignments of high risk products, the certification body shall carry out systematic physical checks and take at least one representative sample. The certification body shall have the complete documentation of traceability of the operators or groups and the product, including transport and commercial documents, including invoices. At the simple request of the Commission, the certification body shall send this traceability documentation as well as the results of the sampling analysis to CA/certification body of the Member State where the consignment is verified.

What is being referred to when talking about product categorization?

As soon as the new model certificates are mandatory in the EU (01/01/2023), there will be reference to the product categories. It may be later for operators in Africa, namely when the certification body switches to compliance. The product categories are already defined in the Regulations and are defined as follows:

- a) unprocessed plants and plant products, including seeds and other plant reproductive material;
- b) unprocessed animals and animal products;
- c) unprocessed algae and aquaculture products;
- d) processed agricultural products, including aquaculture products, intended for human consumption;
- e) feed;

- f) wine;
- g) other products listed in Annex I to this Regulation or not covered by the abovementioned categories.

Regarding the certification of seeds, with the same certificate, how to have the transition from the certification body to the compliance system?

It is the certification body itself that must take the step of applying for and obtaining recognition to certify organic products in a compliant manner. Under the equivalence regime, the certification body must obtain recognition for seed separately, namely product category F. Under the compliance regime, recognition for the certification of organic products for product category a) includes the possibility of certifying seeds as well.

What are the organic certification bodies present in Ivory Coast?

This list of recognised bodies (on 25/10/2021) is included in the training material. The explanations for the numbers can be found in Regulation 1235/2008 (consolidated version!)

Country/ product category	A	B	C	D	E	F	total
Côte d'Ivoire	115; 141; 135; 160; 161; 102; 128; 149; 154	149; 154	102; 149	115; 141; 135; 160; 161; 102; 128; 149; 154	141; 149	149	9

115: ICEA (<http://www.icea.info>)
 141: KIWA / BCS öko Garantie GmbH (www.kiwabcs-oeko.com)
 135: Letis (<http://www.letis.org>)
 160: TÜV Nord / Integra (www.tuv-nord-integra.com)
 161: Bio-Inspecta AG (www.bio-inspecta.ch)
 102: CCPB (www.ccpb.it)
 128: Certisys (www.certisys.eu)
 149: Control Union Certifications (<http://certification.controlunion.com>)
 154: Ecocert SA (www.ecocert.com)

Which organic certification bodies are recognized for Cameroun?

This list of recognised bodies (on 25/10/2021) is included in Annex IV of Regulation 1235/2008

Name (website)(Code number)	A	B	C	D	E	F
Agréco (www.) (151)	X	X		X		
Agricert (www.agricert.pt) (172)	X			X		
Bioagricert (www.bioagricert.org) (132)	X			X	X	
CCPB (www.ccpb.it) (102)	X		X	X		
CERES (www.ceres-cert.com) (140)	X	X		X		
Certisys (www.certisys.eu) (128)	X			X		
Control Union Certifications (http://certification.controlunion.com) (149)	X			X		X
Ecocert SA (www.ecocert.com) (154)	X	X		X		
Soil Association (www.soilassociation.org/certification) (142)				X		

TÜV Nord / Integra (www.tuv-nord-integra.com) (160)	X			X		
---	---	--	--	---	--	--

Which organic certification bodies are recognized for Burkina Faso?

This list of recognised bodies (on 25/10/2021) is included in Annex IV of Regulation 1235/2008

Name (website)(Code number)	A	B	C	D	E	F
Agréco (www.) (151)	X	X		X		
Bio-Inspecta AG (www.bio-inspecta.ch) (161)	X					
CCPB (www.ccpb.it) (102)	X		X	X		
CERES (www.ceres-cert.com) (140)	X			X		
Certisys (www.certisys.eu) (128)	X			X		
Control Union Certifications (http://certification.controlunion.com) (149)	X	X	X	X	X	X
Ecocert SA (www.ecocert.com) (154)	X	X		X	X	X
Lacon (www.lacon-institut.com) (134)	X	X		X		
TÜV Nord / Integra (www.tuv-nord-integra.com) (160)	X			X		

What are the implications of the new Organic Regulation for a multi-product company (sesame, dried mango, etc.)?

There are no changes in the organic regulation that apply to multi-product companies only.

As an individual processors of shea kernels, if I have to export this butter according to the requirement of the U.S., what is the procedure to follow?

If you are not yet certified, you must find a recognized inspection body for the NOP certification of your products. Recognised certification bodies and other NOP certified operators in your country can be identified via the NOP organic integrity database: [USDA Organic Integrity Database](https://organic.ams.usda.gov/integrity/) (<https://organic.ams.usda.gov/integrity/>)

What certification for the shea butter transformed into cosmetic products ?

It depends on the communication on the label of the cosmetic product, more particularly the logo of one or the other specification. The EU logo for organic production cannot be applied on cosmetic products.

Can an exporter work with several producer cooperatives?

If "working with" means buying organic products that are listed on the suppliers' certificate, yes, of course. If "working with" means organizing it informally and buying products to sell as organic without the cooperatives being in possession of a certificate, no.

What is the minimum time to obtain a COI (certificate of inspection)?

It depends on the certification body. There are some who sign box 18 in less than 24 hours and there are others who inform the operator that the signature of box 18 can take three working days. Once box 18 is signed, the consignment can be presented for custom clearance. In any case, the COI needs to be signed before the organic products leave the country of export.

A producer who has obtained the organic certification from his own country, does he still have to obtain another organic certification before exporting his products to Europe?

If this concerns a recognized country (listed in Ann III of Reg 1235/2008 for the product category and origin concerned): No.

In all other cases: Yes. He must contact a control and certification body recognized by the European Commission for the control and certification of organic products in his country for the producer's product category.

When a certification body is recognized by the European Commission for the control and certification of organic fruits and vegetables in Morocco, does this body also have to be recognized by the competent authority for organic farming in Morocco?

This is not required in the context of European organic legislation. On the other hand, if the organic legislation in Morocco provides that any product labeled as "organic" on the Moroccan market, including those products intended for export, must be recognized and listed by the competent authority, the certification body must align this Moroccan requirement. This is for example already the case in other non-European countries such as Ukraine. In these cases, organic products must comply with the product rules of the organic legislation of Morocco AND the production rules detailed in the specifications of the certification body recognized by the European Commission. In addition, the operator must be checked and certified also on the basis of both types of rules.

Morocco has adopted an action plan that targets 100,000 ha of organic production by 2030. With this, can Morocco's organic legislation be recognized as equivalent (see Tunisia)?

It all depends on what Moroccan organic legislation allows and does not allow, for operators (including producer groups) and control bodies. But with only the target expressed in hectares, unfortunately no, it is not enough.

What is the maximum validity of a certificate?

The period of validity of a certificate may vary from one inspection body to another. There are certificates with a validity of 15 months and others with a validity of more than two years. There are some that systematically start on January¹ and others that are issued according to the date of the control. The IOC has no period of validity. Certificates issued and referring to the current Regulation (834/2007) remain valid until 31/12/2022.

What is the procedure for obtaining an COI?

There are three possibilities: (i) the exporter enters the data into the TRACES system and informs its inspection body. (ii) the exporter informs the importer of the data and the importer enters it into the TRACES system and (iii) the exporter completes the IOC application form of its inspection body. In all cases, it is necessary to provide the commercial documents, the route (point of departure, point of entry into the European Union, lot number, unit number, ...)

For TRACES, who is registered there?

To operate TRACES properly, the exporter, the exporter's inspection body, the importer, the importer's inspection body and the first consignee and its inspection body (if different from the importer).

1.5 Transition phase to switch from equivalence to compliance

For the transition period, there will be certification bodies that will not apply the new regulations at the same time. Does this mean that in a given country, an operator certified by certification body1 can be audited according to the new regulations and that certification body2, will be audited on the old one, as long as the Organization has not finished its transition period?

Yes

This seems strange because it could mean that organic producers in the same country operate under different organic rules, depending on the certification body they use.

In fact, a similar situation is already taking place at present, each certification body recognized under the equivalence applying its own standard. The characteristic of a transition period is to have the superposition of different systems at the same time, limited in time. At the end of the transition, all operators will be controlled based on an identical standard for everyone.

It is true that the specifications of the certification bodies may differ but have been considered equivalent to the organic regulations.

1.6 Groups

Can the members join more than one group to do **different** products?

Yes.

Group members are not allowed to sell anything on the local market as organic?

*Members are not allowed to sell their organic product for which they have joined the group, on the local market as organic, but they can sell those products as conventional. The group must have a joint marketing system, which means that the **organic** products produced by the group can only leave the group, via the group's marketing system.*

Considering the new Organic Regulation for 2022, what will be the faith of a farmer already in a group with a farm size over 10 ha?

If (s)he also has a turnover exceeding the maxima, (s)he can't remain a member of a group.

Can you explain more about the slides on DO and DON'T (oranges produced organically and olives ...???)



grow organic oranges and sell those to the group.

sell other things organic and sell in the local market.

sell the oranges as organic after the conversion period (3 years).

sell olive oil to the group if the olives are pressed at a member's or at a press which is a subcontractor of the group.



Don't buy oranges from non-organic neighbours and sell those as organic to the group.

Don't sell the harvest to the group as organic in the first year of conversion.

Don't be member of 2 groups for the oranges.

With the new Organic Regulation, is a group of 5000 members going to be grouped into three groups ? And if so, if they have group name x, are they going to be named x1 ,x2 or x3 ?

Group name x1, x2 and x3 is one of the possibilities. Each of those groups shall have not more than 2000 members.

Are individual members not allowed to produce on more than 5 acres to have the certification?

1 acre = 0,4 hectares. The Regulation refers to 5 hectares (12,5 acres) (or 0.5 ha of greenhouse surface or maximum 15 ha of permanent grassland) as maximum surface. Alternatively, a member having more "land" but having a turn-over not exceeding the maximum laid down in the Regulation may still be accepted.

In the new EU Regulation, what about the sampling size of members to visit during an audit (external certification body) and the implications on the audit costs?

Under the compliance regime, the certification body has to conduct a minimum number of inspections of members of a group which cannot be less than 5% of the number of members and for small groups, not less than 10. Compared to the existing system of equivalency, the number of inspections of members of a group cannot be less than the square root of the number of members and be increased with a factor 1.4 for high risk situations.

What is a legal entity?

A legal entity is related to the legal status a company can adopt based on national legislation. It can be e.g. a non-profit organization or a cooperative.

A farmer with more than 5 ha who does not have capacity to be certified alone, but had complied with all standards, will have to be taken out of the system because of non-conformity?

It was a recently taken political decision to limit the size of the members of a group to 2.000, heavily debated already. The number is fixed in a Commission's implementing Regulation (2021/279 Art 4) which means that if needed and supported by the Member States, it can be changed. This potential change also applies to the limitations in terms of size or turn-over imposed on the members of the group (fixed in the Council & EP Regulation and also subject to changes by the Commission. But the requirement of legal personality and joint marketing system will not change unless after a long legal procedure (revision of Reg 2018/848)

What is the policy in making costs of the Certification affordable to producer groups and individuals ?

It's the responsibility of individual certification bodies to determine their fee policy.

Regarding the 5ha rule, is that including also land that is used for crop rotation?

Yes.

In the current situation in Africa, how to empower (with skills and authority/independence) the Internal Inspectors/Auditors ?

It could be useful to increase the cooperation and exchanges between groups: inspector's experiences, sharing of best practices (internal training, traceability checks, explaining each other's risk based approach, internal audits, ...

For groups that have more than 2000 farmers so far, but who are organized as a cooperative union with primary cooperative societies on first level (both the union and primary societies are legal entities), what are the rules with the new Regulation ?

If the Union is certified as a “group” , the members of the Union are -or can be- groups for another purpose than organic certification. Such a construction (groups as members) cannot be accepted for organic certification under the compliance regime. Members of the groups can only be famers or operators that produce algae or aquaculture animals, not “groups”.

In spice production, if a farmer grows different spices, could it be organized under one ICS and one certificate or does each spice need an extra ICS and extra certificate?

Yes, different spices can be covered by the same ICS. For groups in Africa, the certificate issued for the group (box 6) will refer first of all to the product category: fresh spices belong to product category (a) while dried species belong to product category (d). In box 7, the detailed names of the products may be mentioned.

The certification body cannot issue a certificate for the members of the group. The ICS has to manage the members, members’ products and members’ production units.

Does the first step in the organic certification process refer to the implementation of the ICS?

For groups of operators, yes. The description of the ICS is an important element in the overall description of the group's activities. As far as individual operators are concerned, there is no reference to the ICS, but each operator must set up a description of its organic activity and comply with the requirements for the precautionary measures.

Currently, a peanut processor is covering with his certificate 3 producer cooperatives (about 600 producers). Is this still possible under the new Organic Regulation, or does each cooperative needs its own certificate?

It will no longer be possible for the certification body to certify a group whose members are not farmers. Therefore, a group cannot have another group as a member. In addition, from 01/01/2025, a group can only have 2000 members. The solution will be for cooperatives to organize or reorganize themselves in order to obtain their own certification.

Is the sampling during internal inspections mandatory ?

For internal inspections, sampling is not mandatory under the new Regulation. On the other hand, the organization of unannounced controls, in addition to the annual internal inspection is mandatory. The Regulation does not set a minimum number. For external inspections, sampling is mandatory. The minimum number has been set at 2% of the number of members of the group.

Will it still be possible for a company exporting organic products to cover individual producers under its certificate?

Production and export activities may be covered by the same certification provided that all activities have been brought under the control of the certifying body for 1 legal entity. In cases where the organic production activity is carried out by another company, it will be mandatory that this company has its own certification.

In some countries, a company organizes producers into groups, sometimes formal or not, as suppliers of raw materials covered with a certificate (production -processing-export). Is this still valid under the new Regulation ?

The group must exist formally. The group must have a legal status in order to be able to market the organic products produced by the members. The processing activity may take place within the group, provided that this activity belongs to a member. The new Regulation imposes a lot of conditions on the ICS. It is therefore unlikely that this type of organization can continue without modifications.

How to set up an effective internal control system insofar as several speculations can be cultivated in a family farm (producer) member of a group gathered around a product?

The internal control system of a group cannot operate with less than two people: the ICS manager and the ICS inspector. These two must set up detailed documentation for each member. Based on the documentation, the ICS manager must plan the annual checks and the risks of non-compliance according to the rules of organic production. Unannounced checks should be organised for members with the greatest risk of non-conformities and carried out during the most relevant period to establish compliance despite the high risk. The more diverse the activities of the members, the more complex the ICS. Maybe better to start designing the ICS as required for one crop and once that is done and functioning, extend to a second, and third crop.

1.7 Labelling

A company selling organic products to final consumers needs to be based in the EU. Therefore, does it mean that companies e.g. from Africa cannot directly sell shelf-ready foods to consumers, unless they go through a EU-based company, e.g. an importer/distributor?

Correct. Products can be packed for the final consumer in Morocco (example included in the slides and referring to MO-BIO-154 as shown) but the example shown also indicated that the distribution (B2B in France) was under control of FR-BIO-01. The example shown was one tea bag, which is not the sales unit. The reference to the French distributor must be given on the sales unit, in this case probably the box containing 100 or 1000 tea bags.

Can the organic logo of the European Union be used on products obtained in Africa?

Yes! It is allowed to print the logo on bags or other material for shipping when they contain organic products.

In case you refer to use of the logo on pre-packed food packed and labeled for the final consumer, please do not forget that the agricultural origin of the ingredients should be mentioned as well.

What are the requirements for the packaging of imported organic products?

The organic regulation does not impose or prohibit the type of packaging. The packaging must still be tightly closed to avoid any possibility of substitution and/or contamination. To learn more, it is advisable to talk to the buyer of your products.

1.8. Other topics

1.8.1. Official controls/labs

What are the criteria for laboratories to be selected to conduct tests on chemical residues? Do they have to be accredited?

The Laboratories shall comply with 4 requirements: (i) ISO/IEC 17025 analytical method; (ii) the AB has signed international agreement, (iii) lab has sufficient capacity and relevant methods and (iv) as regards pesticide residue testing, accredited for GC and LC in order to be able to cover the list of pesticide residues monitored under the coordinated multi-annual control program of the Union (2019/533).

1.8.2. Others

Regarding the new Regulations for organic production, is there an official source?

Yes : www.eurlex.eu, you can look for texts that contain "2018/848" in the title.

You will also find the relevant documents on www.organicseurope.bio

What are the new requirements of the new terms of the trade agreement that replaced the recognition of third countries ?

Unfortunately, there is very little information available to answer this question. A trade agreement is the result of negotiations at the political level.

The implementation of activities related to organic production entails additional costs. How is this additional cost taken into account in the guaranteed minimum selling price?

The minimum selling price of an organic product on the market is not settled.

Do you have any models of countries apart from Tunisia that have already adapted their legislation? Who is usually the competent authority in the country?

The Annex III of Regulation 1235/2008 contains 14 countries, including Tunisia, for which the European Union has recognized (part of) their organic legislation as equivalent. The competent authority shall be indicated therein. The countries are Japan, Korea, Australia, New-Zealand, India, Israel, Tunisia, USA, Canada, Chile, Costa-Rica, Argentina, Switzerland and UK.

Is the system for uploading documents in pdf in TRACES operational?

It's operational. You can upload your business documents in digital form (pdf).

What are the differences between GLOBALGAP and organic?

GLOBALGAP is about the Good Agricultural Practices and Food Safety. Organic production is a sustainable production method taking into account the production environment and production process which are much wider than the characteristics of the end product. Globalgap still authorises the use of chemical products (NPK, plant protection products in a curative but also preventive way (treated seeds) where organic does not allow it. In addition, organic is a mode of production that requires the maintenance and increase of soil fertility, biodiversity, organic matter in the soil, erosion control using practices such as multi-year crop rotation and manure application.

Is there an interest in organic from the wholesale markets?

Yes. We are seeing an increase in purchases/sales by large structures all over the European Union. Especially Belgium and the Netherlands are seeing an increase in the number of imported products.

Regarding the INCO-terms: can we choose two?

The INCO term which applies is often determined by the buyer. As a reminder: the INCO terms inform the seller and the buyer of the exact point in the transport where the responsibility for the quality (organic and other) of the goods changes. (This is for example important for insurance to cover the

loss in case of "sinking" of the boat). Yes, it all depends on the negotiations with your buyers. The choice will have an influence on the selling price. On the other hand, per transaction, there is only one agreement on the point of transfer of responsibility for organic quality.