



Processing and Exportation according to the EC-Regulation 2092/91

1. Introduction

Production and labeling of organic products in the European Union is regulated by the "Council Regulation (EEC) No. 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs", as amended. The regulation covers unprocessed agricultural crop and livestock products and processed foodstuffs but is limited to certain animal species and excludes aquaculture. The regulation defines a minimum standard for production, processing and marketing of organic products. It also describes the inspection system to which every producer, collector, processor or importer of organic products has to submit his undertaking. It prohibits the use of genetically modified organisms (GMO) and their derivatives at any level of production or processing (exception: livestock medication). This pamphlet gives a short overview on the requirements of the regulation for processing and exportation and inspection. Further study of the regulation is required for anyone involved in organic production.

2. Rules for Processing and Exportation and origin of organic ingredients

2.1 Production of plant products (art. 6 and 7, annex I A) to be used in processing

In order to label plant products as organic, the production methods of the farmland involved have to be in accordance with the regulation for at least two years for annual crops or three years for perennial crops (conversion period). The regulation requires that producers make use of preventive methods for the maintenance of soil fertility and pest control and it lists fertilizers and pest control agents that can be applied if necessary. Seeds and other propagation material has to be of organic origin, with only few exceptions. If collected wild plants are to be labelled as organic, the requirements of the regulation apply as well.

2.2 Production of livestock products (art. 6 and 7, annex I B) to be used in processing

In order to label livestock products as organic, animals as well as land for feed production and pastures have to undergo a conversion period of a maximum of 24 months. The regulation requires purchase of animals from organic operations, feed of organic production and preventive methods for the maintenance of animal health. The regulation lists feedstuff that may be purchased in conventional quality if not available from organic production. Livestock production is surface related and housing standards must meet livestock needs.

2.3 Labelling of processed organic food

The regulation restricts the indication of organic production on foodstuff to those products that contain a minimum of 70% of organic ingredients. The indication may appear in the sales description of a product only if the product contains at least 95% of the ingredients of agricultural origin in organic quality (art.5 3.). The remaining 5% of the ingredients can be added if listed in annex VI C. If a minimum of 70% of the agricultural ingredients of a product are of organic origin, the indication of organic production must appear in a separate statement in the following form "x% of the agricultural ingredients were produced in accordance with the rules of organic production" (art. 5a). The remaining 30% maximum, can be added only if listed in annex VI C. When conversion products are being processed only agricultural mono-ingredients products can be labeled as organic and the wording „product under conversion to organic farming“ must be used (art. 5.5).

2.4 Ingredients and processing aids

However some agricultural ingredients frequently used in processed food are not available in organic quality in sufficient quantities. Such products are listed in annex VI C and can be used without additional authorization in conventional quality. The products included in the list cover a variety of nuts, seeds and fruits, oils, different types of sugar, starch and a selected number of ingredients of animal origin. The list is subject to updating. Further on, the regulation restricts the use of additives, processing aids and ingredients of non-agricultural origin to those listed in Annex VI A and B. These list are continuously updated also.

2.5. Activities under inspection and subcontracted units

Any processor, even if only re-packing or re-labeling is subject to inspections. A processor with several units will need to get all units inspected. Also, all units which are involved in processing by subcontracting of the operator need to be inspected. In this case Annex III Specific Provisions D will apply.

3. Inspection requirements for processing (annex III General Provision, Specific Provisions B) and exportation (annex III General Provision and equivalent to Specific Provisions C and D)

3.1 Description of the operating unit: (annex III General Provision, Specific Provisions B. 1, C. 1 and D. 1)

For the first inspection the operator must draw up a full description of the unit and his activities, including all conventional parts related to the organic one and including all subcontracted units. The description includes ground plans of processing, packaging and storage facilities. The whole process has to be described. Also the measures to be taken to ensure compliance with the regulation must be described. A declaration containing the above mentioned information and the acceptance to the measures in case of infringement or irregularities (annex III General Provisions 9) must be signed by the operator and by each subcontracted unit. If any change occurs regarding the description or of the practical measures, the inspection body needs to be informed in due time. These descriptions will be submitted during application or the first inspection and will be updated during subsequent inspection visits.

3.2 Written accounts: (annex III General Provision 6, 7 and 9, Specific Provisions B. 2, 5 and C. 2, 5)

Written accounts must be kept to show the origin, nature and quantities of all incoming ingredients, additives and manufacturing aids and their use in the unit. The nature, quantities and consignees of the sold organic products have to be documented as well. On receipt of organic products the operator has to check whether they are closed and if labels and accompanying documents are correct. The results of this verification need to be documented. Only products of undoubtful organic origin can be processed and marketed. In case of any doubts the relevant inspection body has to be informed immediately. Special attention should be paid to valid certificates of suppliers.

3.3 Processing methods / Transportation: (annex III General Provisions 7, Specific Provisions B. 4 and 5)

All processing activities have to be documented, in order to give to the inspection body means to verify whether the processing methods and product composition are in conformity with the regulation. If organic products are transported to other units they have to be closed in a manner that no exchange is possible. A label has to state sufficient information to identify the processor/exporter and the inspection body clearly. The name of the product and the reference to the organic production method has to comply with the regulation (art. 5). The lot-number shall be part of the label to determine product origin. Exporters must make reference on the packaging to Ecocert as follows: „certified by ECOCERT, F-32600“. The ECOCERT logo may also be used according to its user rules.

3.4 Separation from conventional units: (annex III Specific Provisions B. 3 and C. 4)

If an operator runs conventional as well as organic processing batches in the same unit, the following measures must be taken to avoid mixing and/or exchanging of conventional and organic products: The storage areas of the units have to be clearly separated. Operations with the organic products have to be separated by place or time from operations with conventional products. The identification of the lots is necessary. Cleaning of equipment must be done before the organic operation starts. Furthermore infrequent processing operations must be announced to the inspection body in advance.

3.5 Inspection frequency, Sample taking and Access: (annex III General Provisions 5 and 10)

The unit has to be completely inspected at least once a year, additional random visits are advised. Samples may be taken but they must be taken where the use of non allowed products is suspected. The operator shall provide the inspection body with any information deemed necessary for the purpose of the inspection and shall give full access to facilities. He also shall inform the inspection body about all doubts on organic origin of purchased products and inform his clients about all delivered products later found to be non-conform.

3.6 Export and Import procedure: (art. 11, 6; annex III Specific Provisions C)

The current procedure of importation into the EC includes, as first step, the application for import permission to the competent authorities in the EC by the importer. The exporter should be aware that only such authorized products may enter the EC market. Exporters should assure that their clients take appropriate steps early in advance of transaction. Only if permission is granted marketing in the EC can take place. For each shipment a copy of invoice and bill of lading are to be sent to the inspection body by the exporter. Afterwards the inspection body will issue a import or transaction certificate for the given products and quantities and send it to the importer. The completeness of import certificates is subject of the inspection procedure of the importer in an EC country.