



## **Comments from KRAV on impact assessment and proposals for new EU regulation on organic production**

### **Overall comment**

**If the proposed new regulation is implemented in its present condition, it risks to eliminate a large part of the Swedish organic production. Also organic production all over EU will be marginalized for a long time ahead and reduced to a small exclusive niche. This is not acceptable and Sweden, therefore, must reject the proposal in its entirety.**

**The Commission's impact assessment does not at all catch these drastic effects of the proposal. This is strange and gives concerns about the Commission's coming work. It is important that the Commission has clear directives to develop the potential of organic production in dialogue with industry and the organic movement. A starting point should be the trust that consumers across the EU daily shows in action by the rising demand for organic products.**

**Instead of a completely new legislation, we recommend that the current regulation is developed with the good ideas in the proposal. This must be done in dialogue with the organic industry and the organic movement. If this is done producers will know that the Standards they must comply with have enough "fore-seeability" needed for farmers and other producers to convert to organic production and meet the large and growing consumer demand which we see. Sweden should immediately seek cooperation with other member states to influence the EC-Council to take such a decision.**

### **The following points are positive:**

- The proposal has simpler language and structure than the current regulation.
- Commission proposes more risk-based control and among other things, that an annual physical inspection is not required on the companies with the lowest risk rating. It opens up new ways to make control and is important in a country like Sweden where the trips associated with control often are long. One possibility is to develop a "control cycle" of 3-5 years, between complete new control, which is common in some certification. The development of control has previously been hampered by the requirement for annual full inspections.
- It also suggests that even EU producers can group certified. The proposal needs to be developed in part because "small businesses" have different meanings in different Member States. This proposal may also contribute to the development of control generally.

### **Points in the draft that we are critical towards:**



## **New comprehensive change gives vague rules**

It is only five years since the current regulations came into force and there has been a lot of confusion in those early years. Re-make a big change creates uncertainty about the rules and laws. Anyone who goes to organic production requires new knowledge, perhaps method development and investment in different ways. For Farmers is also a lead time of two years - meanwhile have additional costs but not a higher price. Who dare and want to invest in a production where the rules and conditions are constantly changing?

## **The principle of predictability missing**

Despite the Commission's intention to launch a "principle-driven" regulation has missed two of the most important principles in the development of rules:

- Predictability. Faced with demands for the introduction times, and an annual edition / change of regulation.
- Ability to influence from those involved and clear rules for influence.

The regulation is a regulatory framework for the voluntary certification, once developed by a grassroots movement. In future work should take advantage of our extensive experience of how regulations can be developed on a voluntary basis with the influence of the sector and generally available! Learn happily of how NOP doing to inform and consult about the organic regulations in the U.S., as we in the EU recognizes as equivalent to ours. They have such an opportunity to comment through its website on the proposals that the National Organic Standards Board develops. ( <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateJ&page=NOSBMeetings> )

## **Inadequate analysis and impact assessments.**

Among other things, argued that the sector has poor consumer confidence, which is subject to the tightening of the rules as proposed. We maintain that the recent market trend is pointing in the opposite direction!

The Commission conducted a survey of attitudes in an internet poll a year ago. To be able to draw conclusions from such studies must be representative of the surface, but this was not the case at all. There was no answer from several member countries and a majority of the responses came from France. It is therefore more relevant to assess consumers' actual behavior, and there is rising demand clear.

## **Completely wrong starting points, including**

- It starts from a widespread lack of consumer confidence, while the market is growing substantially. There is a shortage of raw materials, but it is not a lack of confidence.
- The market has 4-fold at a global level over the period since 2000, while the area in the EU only doubled. It takes as evidence that imports from third countries into the EU increased, which may be true. But is this analysis? There are also other important factors that go in the same direction:
  - Greater refinement of many organic products



- Increased yields gradually
- Lower proportion of land under conversion now than before
- Modification of production sectors, such as more livestock which increases faster than area.
- Is there a clear link between the area and the market value of the products to other production sectors?
- Possibly, then, the difference in acreage vs. market completely natural in the transition of the food industry towards greater sustainability, especially when you only see in a shorter time. (How it has looked before?)
- Imports from third countries, the Commission considers to be "missed opportunities for the EU"

We believe that imports mainly strengthens the development of organic production in the EU, through the greater and wider variety of organic products. We also know that organic production of coffee, bananas and similar means working environments without chemical pesticides in countries where both environmental and health and safety problems associated with pesticides is extensive.

- Private regulatory develop organic production  
The Commission assumes in some cases from private labels create confusion and disruption in the market. We believe that private labels in most cases before and trying new ways for organic production, which can then be included in the regulation.
- Extensive control problems with "mixed farming". The requirement of agricultural enterprises alone may engage in organic production leads to several problems:
  - More complicated conversion.
  - Breakdown of companies in an organic and a conventional part. It provides increased bureaucracy and leads to poorer chance of a good control, not better as the purpose was.
  - Handling of agriculture than other organic companies, which (thankfully) may be "mixed". Farmers do not cheat more than others.

### **Secure the influence of the industry and Member States**

The proposal also means that some of the decisions that are taken today in SCOF ("Standing Committee on Organic Farming) to be superimposed on the Commission in delegated acts. It is partly a result of the Lisbon Treaty but must not necessarily be conducted in the manner proposed by the Commission. Change to:

- The new committee replaces SCOF, all Member States shall be represented, and also the EEA countries.
- The new committee should be given the power over all delegated and implemented acts as far as the Lisbon Treaty allows,
- The number of delegated acts shall be a minimum. All details that are vital to development of the sector should be included in the "Basic Regulation".



Otherwise we will not be the stability and predictability of regulation needed to more producers should be prepared to adapt their production and meet the increased demand we are seeing in the market.

### **Limits must not replace the system control**

The Commission proposes that there should be limits on unauthorized substances in organic products. If the presence of such substances above a certain level is failed product for whatever reason - that even when the products are contaminated without the producer's own fault. A reverse "polluter-pays-principle", where the person helping to NOT spread chemicals must bear the cost. This is something completely new and threatens to shift the focus from the control of the production system to the final product. Should we maintain the credibility of organic farming systems must control remain.

*(Article 20 of the Regulation)*

### **Exceptions taken away by basically whatever effect**

In the western part of Europe's organic production relatively well established and developed, while several countries in the former Eastern Europe is in its infancy. By consistently remove the possibilities of exemption deprives man operators in these countries the same room for development that we ourselves have had.

### **Seed**

The proposal prohibits the use of conventional **seeds** and propagating material-whether eco-seed is available or not. This has implications in particular for vegetable production and will lead to difficulties and reduced diversity. The availability of seed is closely linked to the volumes on the market - we are in the periphery of Europe has already a more limited choice of variety than colleagues south.

We do not share the Commission's assessment that the ban on conventional seeds will be the production of organic seeds. Only after a considerably increased organic production is a larger surface, and your will we most easily with existing systems.

*Annex II, Part 1, 1.4.1 and 1.4.2.*

### **BREEDER**

The proposal prohibits buying into conventional breeding animals, other than for endangered breeds. This is unlikely to impact on all forms of production, but the hardest hit perhaps the pig industry, where active work with crossbreeding is common and poultry production.

*Annex II, Part II, 1.3.5*

### **Require "compliance" for a large and important part of the imports**

To export to the EU has always been difficult, before the last revision was required full compliance (compliance) of applied rules with EU regulations. This is of course almost absurd for countries in other continents, as for instance in the detail of the rules.

There was a definite improvement on the previous revision when the requirement instead became the "equivalence" - equivalence. Now, the Commission proposes return to the old system that they



have not got to work! The exception states it has bilateral agreements with, among others, the United States and Canada.

The design is said to be unfair competition between EU countries and production in a third country. If one maintains the quality of ekvivalensbedömningarna need not be done.

### **Important details for interpretation omitted, often crucial for the consistency of a rule**

The Commission wants to stop all mutilation of organic animals, except for castration, which continues to be performed with anesthesia or analgesia. It is difficult to determine whether **dehorning** will be permitted if the proposal goes through. In an earlier draft was "systematic dehorning" prohibited. Dehorning is an absolute prerequisite for milk production in the stables we have today. A ban would be disastrous for organic dairy production, and most think that we get a ban.

The example also shows that important details do not get settled in delegated acts, but clearly must be included in the regulation so other than the Commission is given power over the design.

### **Do not change the climate for the tethered cattle**

At year-end 2014, the requirement for exercise is provided for tethering "small herd" effect - many have adapted and invested in the exercise yards. It is likely that these "small herds" can continue with organic production without changing conditions.

The proposal has changed the wording on the possibility of exceptions, that is to continue to have tethering animals provided that you stop for a break - from "small agricultural enterprises" to "micro-enterprises".

*Annex II, Part II, 1.7.6*

### **All stores that sell organic products must be certified**

It is proposed to apply also where only prepackaged products sold. This means that, for example, will no longer be allowed to sell organic milk in grocery stores that are not certified. Organic products are therefore not as readily available as today and no increased safety is gained. Led only handle pre-packed products should not need to be certified.

The proposal seems to come from the idea that no exceptions will be made. This will not increase consumer confidence - just the cost!

### **"All" the company switched to organic after the conversion period**

New regulation requires that all agricultural enterprises involved in organic production should be rescheduled. It is unclear how quickly it needs to be done, but becomes a hindrance when new farmers want to reschedule.

One can partially get around this by splitting the company into different units, and thus deteriorate the conditions for a good control objective of this change was a better control!

If the proposal is nevertheless imposed must be "hobby production" of such eggs be allowed without the requirement to be organic.

### **Recommendation on the composting of manure before spreading**

Losses of nitrogen during composting of manure is often large. Therefore, composting avoided. Remove the recommendation for composting available.



## *Annex II Part 1 1.5.2*

### **For high aspirations in terms of self-sufficiency in feed**

The proposal means that 90% of the feed for herbivorous animals to be produced on the farm or in the "region". Today is the 60% of the feed and it is difficult for many producers in the forest and the countryside to increase self-sufficiency. "The region" is not defined, but even if the whole of Sweden is seen as a region, it will be in the short term adjustment problems. A lot of feed, both grain, soy and other protein feed imported or brought into Sweden today.

For monogastric animals are proposals to 60% of the feed shall come from the farm or region. Also here are the requirements for high, we believe. The 50% required by the KRAV standards are difficult to meet in the forest and between the countryside and we therefore permit a lower level there.

### **Production of poultry for slaughter**

Today, chickens of various species taken in as conventional prior three days of age. They can then be slaughtered as organic after 10 weeks (70 days) if they are slow-growing breed. Because we believe that the production of organic parent animals is far in the future, we suggest that the 10 weeks currently required for all poultry of any species adapted to the species. Time of the chicken should be 7 or 8 weeks. For quail and other smaller birds shorter and geese and other large birds anymore.

### **Pullets, parents poultry and parallel production**

Rules for pullets has long been discussed without such arrived. We hope to influence the detailed design at a later stage but would now like to point out that for chicks shall parallel production allowed. There is no risk of confusion and such an option reduces the risk / cost of rearing significantly.

Same thing we believe may apply to the production of organic "parental poultry", which, however, we believe lies in the future.

### **Do not exclude IOAS - specializing in organic accreditation for 20 years**

Article 29, paragraph 3 and Article 31, paragraph 3, requires that the accreditation bodies involved and which is outside the EU will sign the IAF multilateral agreements. IOAS is an accreditation body with very strong expertise in organic production contracted by the European Commission for assessment of certification bodies. However, they have long refused to write the IAF contract. It shall not be designed to IOAS can not be chosen by those who want to use their services.

### **The following rules are missing**

#### **Look over which conventional fertilizers permitted**

We have in Sweden today EU's perhaps hardest application of the term "factory farming", ie animal husbandry where the manure is not allowed for use in organic production. Several member states allow today manure from virtually all forms of animal husbandry. This can create a credibility crisis for the entire sector. This calls for harmonization and stricter enforcement at EU level. If organic production will reduce dependence on conventional agriculture are limitations on the entry



of conventional manure to organic production is much more important than reducing breeding exchange with conventional animals.

### **Recycle Manure - development must begin!**

It is not only with a strong link between animal husbandry and fodder available in organic production. In the slightly longer term, the cycles of nutrients from farm to table too close. Therefore, the regulation immediately changed to research and development of clean recycling manure such as source sorted urine is allowed.

### **Certify inputs**

Current regulation provides under Swedac not allow for the certification of inputs, such as fertilizer. It should be amended so that it becomes possible to facilitate communication about which products to use and do the marketing around it clearer.

### **Rules for slaughter and transport of animals lacking**

There are no rules for slaughter and transport of animals. It is a natural part of the standards for organic production. It has been around for KRAV standards in more than 20 years, and Sweden pushed the issue in the context of Regulation 834/2007 was developed.

### **Thank you for sending the proposal on**

We are pleased that Sweden has chosen to remittances proposed new EU regulation, thus allowing all interested an opportunity to influence the ongoing work of a new or changed regulation. If the result is to be good need an approach where ekorörelsen involved with clear rules.

Here are our comments and suggestions throughout the proposed new regulation. Time has been rather scarce and the material is extensive so the risk is that we missed the essential things. We hope to have the opportunity to influence Sweden's continued work on the draft regulation. We are happy to answer follow-up questions about our responses.

Sincerely

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