

Dear Friends,

this is a letter to members of IFOAM and the IFOAM-EU-Group concerning the EU Commission's draft for a new EU Organic Agriculture Regulation, dated March 23, 2014.

We feel it is necessary to say a clear „No" to this draft. We believe this is the only realistic chance. The published Regulation draft is destructive for the organic sector. A fresh start for a revision with a result that makes sense is necessary.

Why stop the draft now? Why not negotiate and try to improve it?

We do not see a realistic chance to achieve something reasonable by going into the details. The draft is full of legislative inadequacies. It would throw organic agriculture in turmoil for years because of interpretative uncertainties. Even if the draft were amended in some points, the consequences of the new Regulation would still be devastating.

Here are some of our main criticisms:

(1) Integrity of products or process?

Sanctions for irregularities are foreseen where „the integrity of organic products" (not: the production process!!) is affected (Art. 44 of the Commission's draft, amending Art. 23 (2) of the Regulation on Official Food Controls). Sanctions are not foreseen where irregularities in the organic process are detected, if they do not leave detectable traces in the products. Reference to the integrity of the product instead of the production process turns a basic principle of organic agriculture upside down.

(2) Residue levels

Maximum legally accepted residue levels of ubiquitous pollutants as set for infant formulae products are to be made the standard for all organic products. This will cause costs of analyses on end and turn our process oriented organic concept into a concept of food without residues.

(3) Open for new pesticides

What do we have to expect next from such a change in the concept? Positive listing of such agricultural inputs as fungicides, pesticides etc. under condition that they do not cause residues in the products. This would open organic agriculture for a positive listing of the most "advanced" chemical pesticides.

(4) Lack of legislative care - a messed-up scope

The scope of the revised Regulation is defined in a most awkward manner. This would trouble operators and disturb marketing of produce on all stages for years to come.

(5) Imports

The system of EU imports is changed to full compliance to EU requirements instead of equivalence. Organic seeds' availability data bank and many similar administrative details must be fully compliant in all Third Countries for organic imports to be accepted into the EU. Global organic trade will suffer severely from this. Why? The EU Commission wants to be in a position to negotiate equivalency agreements with each Non-EU-Country individually. For such agreements equivalency would be required, not compliance. This would stop organic imports into the EU from many countries for many years. It would stop organic imports into the EU for all the Non-EU-Countries, which are not on the Third Country List.

The US have negotiated such an agreement. India is on the list, but many countries are not, for example the Peoples Republic of China. It took ten years to negotiate the agreement with

the US. It will take ten years to negotiate such agreements with other Non-EU-Countries. In the meantime organic imports into the EU would stop.

These are just five of the points, where we do not see a realistic chance to develop the draft into something helpful for the organic sector in Europe.

A detailed response to the Regulation draft based on technical aspects will most likely not help much. Why? The Co-decision process and the TRILOG of Commission, Parliament and Council is not meant for working on legislative language which is as inadequate and as worrying as the presented draft. Minor details might be influenced that way. The expected devastating overall effect of the revision will be healed.

Therefore: To say „No" now is our chance to maintain a reasonable regulatory framework for organic agriculture in Europe. Such a clear „No" would protect organic agriculture as the one single working alternative to conventional agriculture.

To answer to the Commission's draft with a mixed message of asking for slight changes combined with even more amendments and rejection of some features is too complex a message to be heard.

In 2015 the Commission shall start all over again and listen to what the organic sector in Europe has to say.

With kind regards
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