

Organic products: controls of high-risk products

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EU to move away from 100% controls of high-risk organic products

Commission Delegated Regulation (EU) [2024/2975](#) of 25 September 2024 amending Delegated Regulation (EU) 2021/1698 and Delegated Regulation (EU) 2021/2306 as regards the import into the Union of high-risk organic and in-conversion products

Update

The European Commission has established a list of high-risk organic products on the basis of cases of continued non-compliance. Under previous rules, 100% of consignments of high-risk organic products to be exported from non-EU countries must be sampled and controlled by an organic control authority or control body, and 100% of consignments must also undergo identity and physical checks by EU Member States on import.

Recognising the burden this places on operators and authorities, and that lower rates of physical checks can also be effective, the European Commission now proposes to introduce greater flexibility, allowing the share of consignments tested to be lower than 100%.

This follows an EU consultation undertaken by the Commission which ended on 3 September 2024.

Impacted products

Organic products

What is changing?

The new EU organic rules (Regulations [2018/848](#) and [2021/1698](#)) foresee the creation of a list of “high-risk” organic products, listing products that have frequently been found to be non-compliant with EU organic rules and the countries from which they come. High-risk products require more regular controls. The list of products to be considered “high risk” will be based on serious or repeated cases of non-compliance with organic production rules. This list is not yet published.

Under current rules:

- the organic control authority or control body must carry out systematic physical checks and take at least one representative sample of each consignment of high-risk products to be exported to the EU [Regulation 2021/1698, Art. 16 (6)]
- EU Member State competent authorities must carry out identity and physical checks and take at least one representative sample of each consignment on import [Regulation 2021/2306, Art. 6(2)].

The new Regulation introduces more flexibility into setting the frequency of controls. Under this Regulation, the percentage share of consignments that must be controlled could be lower than 100%. It also allows a different percentage share of consignments to be set for control authorities/bodies than that for Member State competent authorities.

Why?

Experience with controls on imports of organic products from non-EU countries, including notifications of contaminations by EU Member States to the [Organic Farming Information System](#), shows that compliance can be ensured with a frequency of checks that is below 100% of consignments. Testing 100% of consignments puts an unnecessary burden on operators and authorities, and potentially raises the price of organic food.

Timeline

The new rules on controls of high-risk organic products will apply once the list of high-risk products has been published (the timeline is still unclear). The list and the new rules on controls will apply from the same day.

What are the major implications for exporting countries?

These rules should reduce the burden on control authorities and control bodies, and lower the costs for non-EU suppliers of organic products.

Recommended Actions

Non-EU countries exporting organic products to the EU should work to ensure adherence to EU organic standards to prevent inclusion in the high-risk category.

Background

The Organic Regulation (EU) [2018/848](#) is the basic Act that lays down the EU rules on organic production and labelling of organic products. It revises and strengthens the controls system, trade regime, and production rules that had been in place since 2007. It brought in a fundamental change to the regulatory approach, moving from the principle of equivalence to the principle of conformity. The earlier Regulation (EC) 834/2007 recognised that organic goods could be produced in ways that were different, but equivalent in terms of their outcome and alignment with organic principles. Under the new Regulation, this changes to a system of compliance: producers in non-EU countries that do not have equivalence recognised in a trade agreement with the EU or are not recognised as an equivalent country under Regulation 834/2007 will have to conform with exactly the same set of rules as those in the EU. For further information see [New EU Organic Regulation explained](#).

Resources

Commission Regulation [2021/2306](#) on the official controls in respect of consignments of organic products and in-conversion products intended for import into the Union and on the certificate of inspection

Commission Regulation [2021/1698](#) with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies

Commission Regulation [2018/848](#) on organic production and labelling of organic products

Sources

Commission Delegated Regulation (EU) [2024/2975](#) as regards the import into the Union of high-risk organic and in-conversion products

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