

Organic products: Lists of high risk countries and products

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EU to clarify criteria for placing organic products on a high-risk list

Draft Commission Delegated Regulation amending Delegated Regulation (EU) 2021/1698 as regards certain criteria for the establishment of the list of high-risk third countries and high-risk products

Update

The European Commission proposes to amend the criteria for determining which organic products should be placed on its forthcoming list of high-risk products that will require more frequent controls. The Commission proposes that this list will be based on suspicions of non-compliance, in addition to cases of non-compliance that are already established.

The Commission has notified the proposal to the World Trade Organization Technical Barriers to Trade (WTO TBT) Committee ([G/TBT/N/EU/1149](#)).

Impacted products

All products

What is changing?

The European Union (EU) will establish a list of organic products where there is a high risk of non-compliance with EU organic rules, and the countries in which they are produced (Regulation [2021/1698](#), Art. 8). Products identified as “high-risk” will be subject to more frequent identity and physical checks by control authorities/bodies. The frequency of checks is risk-based, and so will depend on how high the risk of non-compliance is assessed to be.

Currently, products are identified as high-risk where “major, critical or repetitive” non-compliances have been established.

Under this draft Regulation, the European Commission now proposes to allow the identification of high-risk products to be based not only on *established* non-compliance, but also where non-compliance is *suspected*.

Why?

In many cases, where there is a suspicion of non-compliance of organic products, it is not possible for the control authority carrying out an investigation to establish (prove) this, due to a lack of information on the potential source or cause of contamination.

This proposed change to the criteria for high-risk listing would allow control authorities to increase controls in cases where there is a suspicion of non-compliance.

Timeline

The Regulation is expected to be published and apply in the **fourth quarter of 2025**. The European Commission is also expected to adopt a Regulation establishing the list of high-risk products in the fourth quarter of 2025.

Recommended Actions

Where a country is a member of the WTO, comments on this proposal can be submitted via the [National TBT notification authority](#) of the country concerned to the [EU TBT Enquiry Point](#) until **26 September 2025**.

Background

Control authorities undertake investigations in response to EU Member State notifications in the Organic Farming Information System ([OFIS](#)), a network for information exchange between the European Commission, Member States, and control authorities.

While there is currently no list of high-risk products set out in legislation, the European Commission provides recommendations annually to organic control authorities and control bodies on products and origins regarding the percentage of consignments that should be checked. These recommendations are made in discussion with the Group of Experts on Organic Production, based on information gathered through OFIS.

Resources

Commission Delegated Regulation (EU) [2021/1698](#) with procedural requirements for the recognition of organic control authorities and control bodies

Regulation (EU) [2018/848](#) of the European Parliament and of the Council on organic production and labelling of organic products

Sources

[Draft](#) Commission Delegated Regulation as regards certain criteria for the establishment of the list of high-risk third countries and high-risk products

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