

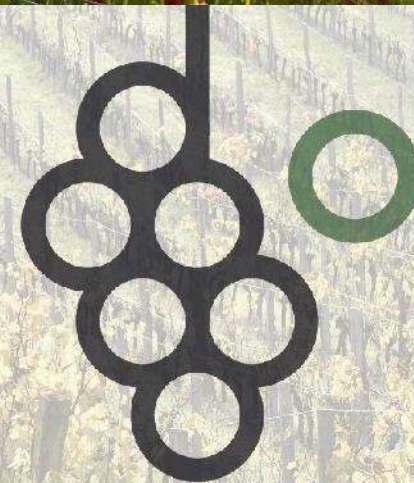


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EU Regulations for organic grape and wine production

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Content

- Quick introduction of the main legal texts
- Organic soil management and fertilisation
- Organic plant protection
- Organic winemaking
- Certification
- Third countries / trade

REGULATIONS

Council Regulation (EC) No 834/2007
of 28 June 2007



Organic Regulations worldwide

	Countries with regulations 2018	Countries preparing organic regulations (2018)	
Europe	42	1	EU: 28; Non-EU: 14
Americas & Caribbean	22	2	
Asia & Pacific	27	6	
Africa	2	7	
Total	93	16	

Adapted from Fibl, 2019

2002: 44 Countries worldwide
2015: 87 Countries worldwide

Overview of relevant EU legal texts

Council Regulation (EC) No 2092/91

- First definitions, outline of organic production
- No longer in effect

Council Regulation (EC) No 834/2007

- Replaces regulation 2092/91; Basic regulation

Council Regulation (EC) No 889/2008

- Detailed regulations to 834/2007; Implementing regulation

Council Regulation (EC) No 203/2012

- Organic wine production

Council Regulation (EC) No 1235/2008

- Import of organic products from non-member states



All legal texts and amendments can be found at the EUR-Lex Web page, e.g.

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32008R0889>

Council Regulation (EC) No 834/2007

of 28 June 2007

on **organic production and labelling** of organic products and repealing Regulation (EEC) No 2092/91

Content

- Aims & Scope
- Definitions
- Principles of organic farming
- Organic production rules
 - Labelling
- Certification authorities
 - Certification process
- Trade of organic products

Council Regulation (EC) No 834/2007

of 28 June 2007

on **organic production and labelling** of organic products
and repealing Regulation (EEC) No 2092/91

Definition of organic farming:

“Organic production is an overall system of farm management and food production that combines **best environmental practices**, a high level of biodiversity, the preservation of natural resources, the application of high animal welfare standards and a production method in line with the preference of certain consumers for products produced using natural substances and processes. The organic production method thus plays a **dual societal role**, where it on the one hand provides for a specific market responding to a consumer demand for organic products, and on the other hand delivers public goods contributing to the protection of the environment and animal welfare, as well as to rural development.”

Council Regulation (EC) No 834/2007

Aims of the directive

Protection of organic farming
Consumer confidence / interest
Transparency of production
Establishing fair competition

Ensuring functioning of the internal market

- **Common labelling**
- **Common control mechanism**
- **Administrative issues**

Council Regulation (EC) No 834/2007

Art. 4 + 5: Principles of organic production

- **Preservation and amelioration of soil fertility**
- **Minimizing the use of non-renewable resources**
- **Closed loop economy**
- **Preservation of plant health**
- **Optimal choice of species and cultivars, crop rotation, use of beneficial insects**
- **Site adapted and land related livestock production**
- **Seeds and plant material from organic production**

Bans & Restrictions

- **Ban of GMOs and GMO products**
- **Ban on ionizing radiation**
- **Ban on mineral N fertilisation**
- **Ban on herbicides**
- **Ban on hydroponics**
- **Organic fertilizers:** max. 170 kg N/ha yr⁻¹

Is it only about farming?

(EU 834/2007) establishes common objectives and principles to underpin the rules set out under this Regulation concerning:

- (a) all stages of **production, preparation and distribution** of organic products and their control;
- (b) the use of **indications** referring to organic production in labelling and advertising.

COMMISSION REGULATION (EC) No 889/2008

of 5 September 2008

laying down **detailed rules** for the implementation of Council Regulation (EC) No 834/2007 on

organic production and labelling of organic products with regard to organic
production, labelling and control

COMMISSION REGULATION (EC) No 889/2008

of 5 September 2008

...contains **positive lists** which specify all legal

-fertilisers & soil conditioners (Annex I)

-Pesticides (Annex II)

All other inputs are illegal

COMMISSION IMPLEMENTING REGULATION (EU)

No 203/2012

of 8 March 2012

amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards detailed rules on organic wine

COMMISSION IMPLEMENTING REGULATION (EU)

No 203/2012

of 8 March 2012

Regulating the production of organic wine

Technical processes allowed in organic wine production are specified

Annex (VIIIa) contains a positive list comprising

“Products and substances authorised for use or addition in organic products of the wine sector“

COMMISSION REGULATION (EC) No 1235/2008

of 8 December 2008

laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

Article 1

Subject matter

This Regulation lays down the detailed rules for the import of compliant products and the import of products providing equivalent guarantees as provided for in Articles 32 and 33 of Regulation (EC) No 834/2007

Annex III: List of countries with mutual equivalency agreements

Annex IV: List of control bodies and control authorities for the purpose of equivalence

Soil management in organic viticulture



Organic soil management

Council Regulation (EC) No 834/2007 - recitals

(12) Organic plant production should contribute to maintaining and enhancing soil fertility as well as to preventing soil erosion. Plants should preferably be fed through the soil eco-system and not through soluble fertilisers added to the soil.

(13) The essential elements of the organic plant production management system are soil fertility management, choice of species and varieties, multiannual crop rotation, recycling organic materials and cultivation techniques. Additional fertilisers, soil conditioners and plant protection products should only be used if they are compatible with the objectives and principles of organic production.

Organic soil management

Council Regulation (EC) No 834/2007 – Article 5 “Specific principles applicable to farming”

- (a) the maintenance and enhancement of soil life and natural soil fertility, soil stability and soil biodiversity preventing and combating soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;
- (b) the minimisation of the use of non-renewable resources and off-farm inputs;

Organic soil management

Council Regulation (EC) No 834/2007 – Article 12 “Plant production rules“

(a) organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil stability and soil biodiversity, and prevent soil compaction and soil erosion;

(b) the fertility and biological activity of the soil shall be maintained and increased by multiannual crop rotation including legumes and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production;



Nodulated legume root; Picture: Frank Vincentz



Picture : Goetz, DLR RLP

COMMISSION REGULATION (EC) No 889/2008

Annex I: Fertilizers and soil conditioners

Authorized agents:

Farmyard manure, composted or fermented household waste,
clays, composted or fermented mixture of vegetable matter,
products of animal origin (horn meal, blood meal, hair, wool etc.) , seaweed products,
Potassium sulphate, soft ground rock phosphate, Calcium carbonate, Magnesium sulfate,
trace elements, guano, aluminium-calcium sulfate, gypsum.

[CELEX 32018R1584 EN TXT.pdf](#)

Consequences for organic soil management

- **Intensivation of humus supply**
- **Activation of soil fertility as a means to ensure yield**
- **„Feeding the Edaphon“ (soil organisms)**
 - „organic“ nitrogen out of the humus and
the nitrogen fixing cover crop (clover, legumes) or org. fertilisers
- **Duty to use winter cover crops or permanent cover crops !**
- **P, K, Mg and other fertilisers can be used (contained in Annex I)**
- **Synthetic nitrogen fertilisers are forbidden**
- **Herbicides are forbidden !**

If external inputs are necessary, input should come from **certified, organic** producers.

However, this is not mandatory. For example, the specification for farmyard manure in Annex I is only that it must not come from factory farming.



Picture: Crystalclear

Conflicting goals?

- Mechanic weed control in steep slopes conflicts with the goal of minimizing erosion
- Alternatives: Hot water treatment, undervine cover crops, bark mulch, undervine mowing
- No-till systems using herbicides have been shown to have a better humus buildup in long-term field experiments compared to tilled plots
- However, tillage can help to increase soil fertility. Sensitive, targeted cultivation to mineralize nutrients when plant demand peaks. Nutrients which are not utilized by vines should quickly be taken up by cover crops.



Provide Nutrients when plant demand peaks!

In the months of May-July the grapevine has the highest N-demand



After Schaller & Löhnertz 1989

Mineralisation under good circumstances takes 6 weeks

If possible, no tillage after August!

Organic plant protection

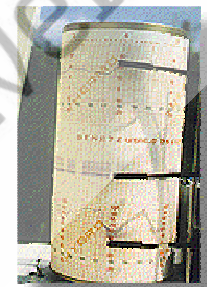


EC No 834/2007 Article 12 Specifies general rules for plant protection:

(g) the prevention of damage caused by pests, diseases and weeds shall rely primarily on the protection by natural enemies, the choice of species and varieties, crop rotation, cultivation techniques and thermal processes;



(h) in the case of an established threat to a crop, plant protection products may be used



Which products are allowed is specified in Annex II

	Austrieb	Vorblüte	Blüte	Fruchtsatz	Trauben	Reifebeginn	Lesereife
1)	Stadium	Stadium	Stadium	Stadium	Stadium	Stadium	Stadium
2)	5-9	12-17	19-23	27-31	33-34	35-37	38
	09-15	15-57	61-68	71-75	77	81	89
Entwicklungsstadien: 1) nach Eichhorn und Lorenz (alt) 2) nach BBCH-Code (neu)							

Plant protection products EC No 889/2008 (Annex II)

Pesticides

Use of synthetic organic fungicides,
insecticides and acaricides is forbidden

Details on organic plant protection in the lecture by Prof. Kauer

- 1: **Substances of plant or animal origin**
- 2: **Micro-organisms or substances produced by micro-organisms**
- 3: **Substances other than the ones mentioned in 1 and 2**

Organic winemaking



Concil regulation (EC) No 203/2012

Rules for the production of organic wine

- Commission implementing regulation 203/2012
- Amends regulation 889/2008 for wine production
- laying down detailed rules for the implementation of organic wine
- Start: 2013 with vintage 2012



German national organic label

Concil regulation (EC) No 203/2012

Oenological processes

Not allowed !

Partial cryoextraction

Partial dealcoholisation

Remove sulfites via physical methods (vacuum destillation)

Electrodialysis

Cation - Exchange



Concil regulation (EC) No 203/2012

Oenological additives and treatments

Not allowed !



GMOs and Derivates from GMOs

Council Regulation (EC) No 834/2007

**PVPP, Sorbic acid, Lysozyme,
Dimethyl dicarbonate, Potassium hexacyanoferrate**

Not contained in Annex VIIIa

Concil regulation (EC) No 203/2012 – Annex VIIIa

Permitted additives and treatments

Gases: Oxygen, Air, Carbon dioxide,
Nitrogen, Argon

Filtration: Perlite, Cellulose, Diatomeaceous earth

Additives:

Yeast*, Diammonium phosphate, Thiaminhydrochlorid, Carbon, **Proteins from plants ***, **Gelatine ***, **Isinglas***, **Eggwhite ***, **Tannin ***, Casein, Yeast autolysate, Potassiumcaseinate, Silizium dioxide, Bentonite, Pect. Enzymes, Lactic acid, L(+) Tartaric acid, Calcium carbonate, Potassium bicarbonate, Potassium tartrate, Lactic bacteria, Ascorbic acid, Citric acid, Metatartaric acid, **Gummi arabicum ***, Cu-citrate, Cu-sulfate, oak chips, Potassiumalginate

*: if possible produced by organic standarts

Max. sulfite contents

Wines < 2 g/l Residual sugar:

Red: max. 100 mg/l (konv.: 150 mg/l)

White: max. 150 mg/l (konv.: 200 mg/l)

All others:

30 mg/l lower than conventional wines





„Wine made from organic grapes“ is not allowed to carry the EU-organic Label!



How to become an organic producer?

The control and certification process



Control and certification of organic products

Foodstuffs labeled as „organic“ or with similar terms must comply with the rules layed out in the EU organic regulations.

Consequently,

- All enterprises which produce, process or import organic foodstuffs from a third country,

Are obliged to

- Report this acitivity with the responsible authority.
- Undergo a control process.

Control mechanism (Article 27, 834/2007)

- Every grape and/or wine producer must sign a contract with a nationally recognised control entity
- Specify the regulation after which certification does occur
- Controlled on a yearly basis as a **process control**. Product control currently only as random sampling or in case of suspicion

(n) 'competent authority' means the central authority of a Member State competent for the organisation of official controls in the field of organic production in accordance with the provisions set out under this Regulation, or any other authority on which that competence has been conferred to; it shall also include, where appropriate, the corresponding authority of a third country;

(o) 'control authority' means a public administrative organisation of a Member State to which the competent authority has conferred, in whole or in part, its competence for the inspection and certification in the field of organic production in accordance with the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;

(p) 'control body' means an independent private third party carrying out inspection and certification in the field of organic production in accordance with the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;

Organic certification

Control entities

System A (e.g. Denmark)

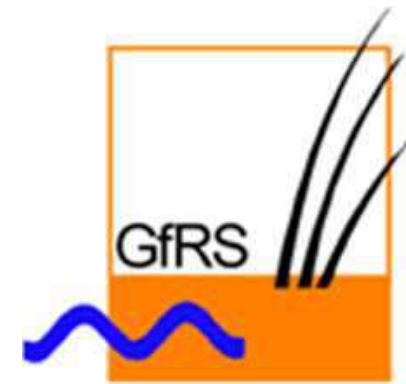
- Control authorities (governmental institution, central control)

System B (e.g. Germany)

- Control bodies (private, govt-central-controlled)

System C (e.g. Luxemburg)

- Mixture of Control bodies and authorities



Duties of competent authorities

D: Länder / BLE (Bundesamt für Landwirtschaft und Ernährung)

Accreditation of private control bodies (BLE)

Supervision of the execution of the control process by the control bodies

Identification and registration of all enterprises under the control mechanism

Sanctions in case of grave violations of the enterprises

Issuing permissions for the resale of organic products from third countries (BLE)

Delivery of reports to the EU commission

Duties of the control authorities/bodies

- Reporting enterprises to control authorities
- Execution of local controls within the agricultural companies and companies processing, importing or trading goods labeled as organic
- Certification
- Sanctions in case of minor or medium violations of the enterprises
- Delivery of reports to the control authorities

Control and certification

Responsible competent authorities and control bodies in the EU are listed on the organic farming information system (OFIS) of the EU commission:

https://ec.europa.eu/agriculture/ofis_public/actor_cbeu/ctrl.cfm?targetUrl=home



Control and certification, Example Germany

Control bodies for certification after EG 839/07 and 889/08 with „viticultural expertise“ (6/23)

Gesellschaft für Ressourcenschutz	(DE-Öko-039)
LACON	(DE-Öko-003)
Kontrollverein Öko-Landbau	(DE-Öko-022)
ABCert	(DE-Öko-006)
Ecocert IMO	(DE-Öko-005)

Yearly cost of certification: Winery with 10-20 ha, ca. 800 Euro.

Control by organic associations also possible!

Control and certification of organic products

Operational Control Number

Areas of control:

- A:** **Agricultural production**
- B:** **Preparation and processing**
- C:** **Import from non-member states**
- D:** **External contractors**
- 0:** used when area of control does not apply

Procedure:

Contract with control body + Report at competent authority:

Operational control number is issued:

D-BW-006-4795-ABOD

Country code-regional code-control body code-enterprise number-area of control

Control process

Agricultural enterprises

Description of the enterprise: (continuous documentation)

- Name, Address, Employees
- Plan of site and buildings
- Land register maps
- Field plot plan (EU-Weinbaukartei)
- Register of the last conventional treatment per field plot

Duty of Documentation: (Compiled per year)

- Soil management measure and fertilisation (field plot)
- Plant protection measures (field plot)
- Documentation about origin, type and quantity of externally purchased means of production (Plants, N-Fertiliser, PPP)
- Documentation about quantity of production, buyers of the product
- Price lists, labels, advertising material etc.
- Vineyard inspection

+ Specific association-dependent documentation (if applicable)
(E.g.: Copper-use, Processing procedures)

Control process: Contract processors

Certified contract operators/processors

Processing procedures in the framework of processing contracts:
Documentation and control are established and simple.

Not certified contract operators/processors

Contract processing can also be done with not certified contract processors.

Written agreement between contract operator and (certified) client.

The agreement must document:

- **The client is responsible for the process** (Ingredients/ raw materials/process)
- **Contractor accepts control of his company**
- **Specific agreements concerning the process are to be made**
(Rent of location/equipment, Delivery dates, Volumes to be processed, Time frame for processing)
- **Separation of organic and conventional products**
- **Documentation of cleaning process ect. must be established.**

Notify the control body!!

Not certified contractors will be controlled at the expense of the contracting entity!

Council regulation (EC) 834/07: Principles of Production

Conversion of businesses (Perennial cultures)

Starts with signing the contract with a control body and reporting of the enterprise to the competent authority

1st fully certified product after a 36 month conversion period

E.g.: Contract with control body and last conventional treatments: 8/2015

Vintage 2015: conventional product

Vintage 2016: 1. Harvest as conversion product
(12 Months after start of conversion)

Vintage 2017: 2. Harvest as conversion product
(24 Months after start of conversion)

Vintage 2018: Harvest as certified organic product
(36 Months after start of conversion)

Problem with rent or acquisition of new vineyards!

Control and certification of organic products

Conclusion of the conversion process

Certificate is issued

Declaration of the certification on the product + EU Bio-Label (from 1.7.2010) is mandatory

For wine from vintage 2012 onwards!

List of all certified enterprises in the EU:

<http://www.bioc.info>



Labelling

Minimum of declaration

Number of the certification authority

DE – 039- Öko-Kontrollstelle

Origin of the product

Deutsche Landwirtschaft

EU organic logo (prepacked foodstuffs)



Optional declaration:

Logos of Member State

Logo of „Organic association“

Logo of a discounter

Logo of the certification authority

https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/organic-logo-user-manual_en.pdf

Membership in organic farming associations

- Optional
 - Specific rules at least as strict as EU regulations
- Certification by control bodies

Wine specific organisations, example Germany

	Wineries	Vineyards (ha)	
ECOVIN	233	2356	2018

Following lecture by R. Dejas will detail specifics
on farming associations

Biokreis	4	50*	2018
Associated Wineries	634	5299	66 %
EU-certified only	???	ca. 2700	34 %
Germany		8000	



Biodynamic certification

- In the EU, Demeter or Biodyvin are regarded as standards and can be certified by other control bodies
- In the US, Demeter itself is the only control body certifying biodynamic production
- While many recommendations are made the focus of certification is normal organic certification + use of biodynamic preparations and compost



A short glimpse into other countries: USA

- USDA National organic program (NOP) administers organic regulations
 - List of prohibited and allowed substances
 - Cultural practices
- Certification by private, foreign, or State entity accredited by the USDA
- Submission of an organic system plan (OSP)
- 3-yr transition period **after the last use of prohibited substances**
- Yearly recertification
- Organic wine: 100% from organic grapes, no sulfites added, enological products need to be organic
- Wine from organic grapes: max. 100 mg/L total SO₂, enological products don't need to be organic



A short glimpse into other countries: Australia

- Similar to the EU
- National standard for organic and biodynamic produce
- Dept. of biosecurity controls certifying bodies
- Each control body issues own organic label
- 3-yr transition period similar to EU system



Import of organic products

EC Regulation (EC) No. 834/2007, Art. 33 Par. 2 and 3
EC Regulation (EC) No. 1235/2008

Importer must be certified

List of countries with equivalency agreements (Annex III)*

Some countries (e.g. US, Argentina) equivalency agreement signed before (EC) No 203/2012

- Rules of the destination country apply

List of accepted certifying institutions (competencies do often not extend to wine)



*Argentina, Australia, Canada, Chile, Costa Rica, India, Israel, Japan, New Zealand, Republic of Korea, Switzerland, Tunisia, USA

Export of organic products

- In the frame of trade agreements, the EU is determined to ease the export of organic products and the acceptance of the EU organic certification
- Reciprocal equivalency agreements
- Wine often not included when outdated by 203/2012
- U.S.: NOP-certification necessary (accepted by CAN)



EU organic producers need an efficient and competent legislative to facilitate trade with important third country markets and keep setting up-to-date standards.

Lets keep up the good work!

