New EU-regulation organic production 2021 – how affect laws and standards in Norway

Monica W. Stubberud
Norwegian Food Safety Authority (Mattilsynet)
Introduction

• Information about organic legislation in Norway

• General information about the implementing procedure in Norway

• General comments about the new organic legislation in 2021
The Agreement on the European Economic Area EEA is the cornerstone of relations between Norway and the EU. It brings together the 28 EU member states and the three EEA EFTA states Norway, Iceland and Liechtenstein in an internal market governed by the same basic rules. It guarantees the internal market’s four freedoms, as well as non-discrimination and equal rules of competition throughout the area.
Regulation for organic production

- We implement the same regulations for organic production as in EU. [https://lovdata.no/dokument/SF/forskrift/2017-03-18-355](https://lovdata.no/dokument/SF/forskrift/2017-03-18-355)
The process for new rules

• The EU Commission (DG AGRI) propose new rules

• The proposal is discussed in the Committee of organic production where 28 MS participate, including Norway, Switzerland and Island as observers.

• The EEA-agreement defines our right to participate in this group in the same way as MS. We can however not be a part of the voting process.

• After adoption in EU the act has to be implemented into the EEA-agreement before entering into force in Norway.
Information about the implementing procedure

The Commission publish the proposal for new acts, and later the final version.
The EFTA-secretariat is responsible to coordinate the work and notify within one week the Norwegian Food Safety Authority about new proposal and final version of all new rules.
Evaluation of new act in Norway

- The NFSA responsible staff ensure a note in a database describing the content and possible consequences for operators and authorities in Norway. The note is updated during the process from draft to final version.

- The note is send to the Ministry and responsible departments for evaluating.

- There is a special committee in Norway with the involved departments and NFSA responsible to consider if the act is acceptable (Spesialutvalget for matområdet).

Negotiation – process in EFTA

• Process between the EFTA-countries and EU.
• Coordinated by the EFTA secretariat - discussion with the EU side - EEAS (European External Action Service) and DG Agri.

• **Need for technical adaption to the legislation**
  ✓ Clarify if references to horizontal legislation is not a part of the EEA agreement (e.g. plant health).
  ✓ In the *importcertificate* - EORI number not obligatory for Norwegian importers, because we are not a part of EU customs union.
  ✓ Organic means «økologisk» in Norwegian
  ✓ Transitional periode for marketing of products in storage

• **Substantial adaption to the legislation**;
  • Geografical, climatic or structural reasons
  • Difficult process and discussion, and limited possibilities for solutions
When the negotiation is finished, and the EFTA-countries have accepted the new act, the EFTA secretariat send a EEA decision (EØS-komitebeslutning (draft JCD))
Addaption into EEA-agreement and Norwegian law

- The EEA Joint Committee is responsible to adopt the new acts into the EEA-agreement.

- The new acts shall be implemented into the Norwegian law (Økologiforskriften) the first workingday after this decision. This is ensured by the Norwegian Food Safety Authority.

- The whole process may take at least 4 month if no addation text, but may take several years.
Before implementing into EEA-agreement, the national process with public hearing has to be finished.
EEA-process

EFTA-sekr

LMD
(koordinerende seksjon/fagseksjoner)

Mattilsynet

(Mattilsynet, EEE-Standard skjemaer, tur/retur EFTA/LMD)

(EØS-notater)

Gisken Thoen

ESI

UD

SUH

NFD

SUMO

HOD

(klarering av EØS-komitebeslutninger i EØS-komiteen)

(notifisering ESA form1)

(klarering av EØS-komitebeslutninger i EØS-komiteen)

(SUH-ESA form1, klarering av EØS-komitebeslutninger, saker i EØS-komiteen)

(EØS-notater gjødsel, plantovertnm)

(notifisering ESA form1)

(samordning mellom LMD, HOD og FKD av EØS-notater på samarbeidsområder)
New organic legislation 2021

- Ongoing process to ensure detailed regulations for the basic act (Reg. (EU) 2018/848)

- Discussion about new production rules is finished.

- Ongoing discussion about
  - Plantreproductive material
  - Controls and other measures ensuring traceability and compliance in organic production
  - Labelling

- In 2020 discussion about import/trade and also revision of all the Annexes.
New changes from 2021

- More compliance with organic principals – less exemptions
- Stricter rules for third countries – compliance
- More local produced feed, and some new production rules for animals
- Stricter rules and requirement for organic animals and PRM (defined deadline)
- Outfacing the possibility for indoor production of adult bovines for meat production
- Forbidden use of demarcated bed for greenhouse production
- Stricter rules for prevention and following-up of unauthorized substances
- New possible organic products like salt, and new animals like deer and insects.