

NATIONAL IMPLEMENTATION

Arts 28- 29 of Reg 848/2018

Members are invited to share any update with OPTA secretariat (info@opta-eu.org) on the way rules are implemented at national level. Please note that the information in the table below has been provided by members, the Secretariat is not responsible for its accuracy.

Country	Guidelines for operators	Reference Document	Comments/Inputs
Austria	Guidelines for operators to assess the risk and to define the proportionate and appropriate precautionary measures to avoid contamination by products or substances not authorised for use in organic production.	RICHTLINIE verhältnismäßige und angemessene Vorsorgemaßnahmen RL_0007_1 gültig ab 01.01.2022 1/15 https://www.verbrauchergesundheit.gv.at/Lebensmittel/qualitaetsregelungen/kontrollausschuss_euquadg1.html	
Germany	Non-officially endorsed FiBL -BLQ Guidelines for operators to assess the risk and to define the proportionate and appropriate precautionary measures	https://orgprints.org/id/eprint/43004/2/Guideline_FiBL_BLQ_R	

	to avoid contamination by products or substances not authorised for use in organic production.	esidue_Handling_Operators_Art 27-28_ENG_final.pdf	
The Netherlands	Guidelines for operators to <u>report</u> the cases of suspicion of non-compliance, including in the presence of non-authorized substance.	https://www.skal.nl/certificeren/handel/toezicht/melding-doen-bij-twijfel-over-de-bio-status	
Spain	Guidelines for competent authorities (control authority/control body) to deal with the presence of non-authorized substances.	Directrices para la Coordinación de las Autoridades Competentes de Producción Ecológica ante la presencia de residuos de productos y sustancias no autorizados en producción ecológica. https://www.mapa.gob.es/es/alimentacion/temas/produccion-eco/di-res-eco_documento_residuosv1_aprobado_firmado_tcm30-583858.pdf	This document specifies that <u>each</u> presence of non-authorized substance confirmed by a laboratory analysis must be communicated by the operator to the competent CB/CA, considered as a substantiated suspicion and therefore submitted to an official investigation.
France	Guidelines for operators with the measures to be taken in the event of suspicion of non-compliance or in the presence of non-authorized products or substances.	Mesures à prendre en cas de soupçon de manquement aux	Decision grid for operators (annex II) specifying that the operator will examine 'all possible causes'.

		<p>règles de la production biologique.</p> <p>https://www.inao.gouv.fr/content/download/4005/34979/version/1/file/Note%20mesures%20%C3%A0%20prendre%20en%20cas%20de%20soup%C3%A7on%20par%20les%20op%C3%A9rateurs.pdf</p>	
Italy	Specific measures for phosphates	<p>'Accidental and technically unavoidable contamination of plant protection products in organic farming'</p> <p>https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2022-12-31&atto.codiceRedazionale=22A07378&elenco30giorni=false</p>	<p>The below measures have been extended until 31 december 2025.</p> <p>Without prejudice, <u>in all cases</u>, to the obligation of the inspection body to investigate the cause of the contamination:</p> <p>1. in the case of detection of phosphonic acid, in the absence of simultaneous detection of ethylphosphonic acid, the following lower limit shall apply to processed, unprocessed and composite organic products, understood</p>

			<p>as a "numerical threshold" above which the batch of product found to be contaminated may under no circumstances be marketed with the organic production certification phosphonic acid ≥ 0.05 mg/kg;</p> <p>2. by way of derogation from point 1 and until 31 December 2022, the following lower limit applies:</p> <ul style="list-style-type: none"> a. phosphonic acid ≥ 0.5 mg/kg for herbaceous crops; b. phosphonic acid ≥ 1.0 mg/kg for tree crops; <p>- In the case of processed organic products, with the exception of proven false-positive cases of analytical determinations, the above limits shall apply taking into account the variations in the content of phosphonic acid residues caused by processing, processing and mixing operations or by blending operations, without prejudice to the lower limits laid down in current legislation for particular categories of product;</p>
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			<p>-in case of detection of ethylphosphonic acid, 0.01 mg/kg applies. For processed organic products, this applies taking into account variations in the content determined by processing operations, Residues processing and mixing or from mixing operations, without prejudice to lower limits provided for in current legislation for particular product categories;</p> <p>-for processed organic wine products, in the case of detection of ethylphosphonic acid the limit of 0.05 mg/kg shall apply, taking into account the possible transformation of phosphonic acid into ethylphosphonic acid due to the presence of ethanol in the oenological processes.</p>
Switzerland	Non-officially endorsed IG BIO guidelines and risk matrix to guide operators on good processing and manufacturing practices and to prevent and to handle residues in organic food.	IG BIO Leitlinien zur Vermeidung von und zum Umgang mit Rückständen in Bio-Erzeugnissen	

		<p>IG BIO_Leitlinien_Rückstände_Stand_30.03 Adobe Acrobat Dokument 193.9 KB</p> <p>https://www.igbio.ch/deutsch/dokumente-links/</p>	
Switzerland	Instructions on findings of residues in organic production – guide for certification bodies and concerned authorities	<p>German: https://www.blw.admin.ch/dam/blw/de/dokumente/Instrumente/Kennzeichnung/Biolandbau/weisung-zum-vorgehen-bei-rueckstaenden-im-bio-bereich.pdf.download.pdf/Weisung%20zum%20Vorgehen%20bei%20R%C3%BCckst%C3%A4nden%20im%20Bio-Bereich.pdf</p> <p>French: https://www.blw.admin.ch/dam/blw/fr/dokumente/Inst</p>	<p>A temporary 'intervention limit' of 0,05 mg/kg for residues of phosphonic acid in non-transformed foodstuff is set up until 2030.</p> <p>While residues of non-authorized substances trigger 'in principle' an investigation to determine the source and the cause, for proportionality reasons the investigation should be conducted when the concentration of residues is above the intervention limit. In such cases, the possibility of marketing the product under</p>

		<p>rumente/Kennzeichnung/Biolan dbau/weisung-zum- vorgehen-bei-rueckstaenden- im-bio- bereich.pdf.download.pdf/Instr uctions%20concernant%20les% 20constats%20de%20r%C3%A9 sidus%20dans%20la%20produc tion%20biologique.pdf</p> <p>Italian <a href="https://www.blw.admin.ch/dam/blw/it/dokumente/Instrumente/Kennzeichnung/Biolan
dbau/weisung-zum-vorgehen-
bei-rueckstaenden-im-bio-
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