



MALTA

Agriculture Directorate

Ministry for Agriculture, Fisheries and Animal Rights

CATALOGUE OF MEASURES

ORGANIC PRODUCTION AND LABELLING OF ORGANIC PRODUCTS

December 2022

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1. Scope & Applicability

- a. The Catalogue of Measures, hereunder referred to as the “the Catalogue”, is being established in accordance with Article 41(4) of Regulation (EU) 2018/848 of the European Parliament and of the Council and with Article 8 of Commission Implementing Regulation (EU) 2021/279.
- b. This Catalogue shall supplement the enforcement procedure and penalties laid down in S.L. 427.93 and lists the measures that shall be applied by a control authority or control body, on operators under their control, in case of non-compliance of the organic farming regulations (Section 2).
- c. This Catalogue shall be legally binding and must be used by all control authorities and control bodies operating in Malta.
- d. The measures listed in this Catalogue shall be applied proportionately and any deviations in application of any measure shall be justified.
- e. When non-compliance is established, control authorities/bodies shall:
 - take any action necessary to determine the origin and extent of the non-compliance and to establish the operator’s responsibilities;
 - take appropriate measures to ensure that the operator concerned remedies the non-compliance and prevents further occurrences of such non-compliance;
 - inform the Competent Authority.
- f. If the same non-compliance is identified, irrespective of the classification defined in Section 3b, the next measure level is to be applied.
- g. If a control authority or control body identifies cases of non-compliance that are not included in this Catalogue, they are to immediately inform the competent authority to discuss appropriate action.
- h. When an operator changes control authority/body, the new control authority/body has to take into account the penalties imposed by the preceding control authority or control body. This includes the need to exchange information between control authorities/bodies such as certification decisions and not only the inspection report.

- i. *Subject to Article 29 of Regulation (EU) 2018/848, where a control authority or a control body suspects or receives substantiated information, ..., that an operator intends to use or to place on the market a product which may not be in compliance with this Regulation but which bears terms referring to the organic production, or of a suspicion of non-compliance in accordance with Article 27:*
 - a. **it shall immediately carry out an official investigation (ex OCR) with a view to verifying compliance with this Regulation;**
 - b. **such investigation shall be completed as soon as possible, within a reasonable period, and shall take into account the durability of the product and the complexity of the case;**
- j. *The Authorities shall take any measures, and provide for any necessary sanctions, to prevent fraudulent use of the indications referred to in Chapter IV of this Regulation*
- k. *This Document does not prejudice the 'Common catalogue of Measures' that the Commission will for cases of suspected non-compliance and established non-compliance to be applied in the EU, including by control authorities and control bodies.*
- l. *This document also does not prejudice any implementing acts adopted by the Commission to specify uniform arrangements for the cases where competent authorities are to take measures in relation to suspected or established non-compliance*

2. Legal basis

Organic farming regulations shall refer to the regulations listed hereunder, as may be amended from time to time.

- S.L. 427.93 Product Safety Act: Organic Production and Labelling of Organic Products Regulations of 2018
- Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 and its' implementing and delegated regulations

3. Definitions

a. The criteria to determine the category of non-compliance will be the following:

- (a) whether the non-compliance is intentional;
- (b) the efficiency of the operators' self-control system, where it is required and, or is in place;
- (c) whether the integrity of organic or in-conversion product/process is affected or not, as it is defined in article 3 (74) of Regulation (EU) 2018/848;
- (c) whether the traceability information is available.
- (d) Persistence of infringement
- (e) Fraudulent activity

b. Classification of Non-Compliance

- Non-compliance Minor (NC - MINOR)
- Non-compliance Major (NC - MAJOR)
- Non-compliance Critical (NC - CRITICAL)

For the purpose of classification of non-compliances, the following indicators shall be used:

- (a) Minor non-compliance is to be defined when:
 - i. the non-compliance is not intentional and,
 - ii. the operators' self-control system, where it is required and, or is in place, address the risks relevant of being compliant and,
 - iii. the non-compliance does not affect the integrity of the organic or in-conversion product/process initially but if not settled in due time it may lead to an impact on the integrity of organic product/process and,
 - iv. the traceability system can locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is possible;
 - v. the precautionary measures are proportionate and appropriate, and the controls that the operator has put in place are efficient;

- (b) Major non-compliance is to be defined when:
- i. the non-compliance is not intentional and,
 - ii. the operators' self-control system, where it is required and, or is in place, does not address the risks relevant of being compliant and,
 - iii. the traceability system can locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is possible and;
 - iv. the non-compliance affects the integrity of the organic or in-conversion product/process or,
 - v. the operator did not correct in a timely manner a minor non-compliance or,
 - vi. the precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are not efficient;
- (c) Critical non-compliance can be defined when:
- i. the non-compliance is intentional or
 - ii. Fraudulent behaviour, or
 - iii. there is no information from the traceability system to locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is not possible or
 - iv. the operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliance (recidivism) and,
 - v. the operators' self-control system, where it is required and, or is in place, does not address the risks relevant of being compliant and
 - vi. the non-compliance affects the integrity of the organic or in-conversion product/process.
 - vii. the precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are not efficient.

c. Classification of Measures

(i) Measure criteria/description

Warning Notice / Request for information (WN): A formal warning letter sent to an operator, which includes an official request for clarification during when the investigation to determine the

full complexity of non-compliance is ongoing and/or in cases when a minor non-compliance has been already established.

The official letter should provide:

- An explanation of the non-compliance vis-à-vis the interpretation of the standards laid down in regulation.
- If applicable, an official request to submit additional details in connection with the investigation on the non-compliance.
- Actions to be taken by operator to correct non-compliance and prevent further occurrences of non-compliance. Such actions must be implemented by operator within a specified period (28 working days) and notified to Control Authority in writing. Additional controls by Control body or Control Authority may be required or where appropriate the Control Authority or Control body shall write a close-out note once the non-compliance has been remedied.

Provisional Prohibition (PP): Operator is provisionally forbidden from placing on the market of the product concerned with indication referring to organic production until corrective action has been implemented in the event of minor or major non-compliance and/or pending outcome of investigation. When operator fails to demonstrate that integrity of organic product concerned shall be restored, the prohibition shall be extended indefinitely until Control Authority or Control Body sees fit to re-assess the situation.

Downgrading (DG): Operator will be required to remove of any reference made to organic production in the labelling and advertising from the entire lot or production run. Downgrading must take effect immediately upon a major or critical non-compliance has been established and must endure permanently. The downgrading of a product shall lower the status to conventional. Measure applies only to products and associated outputs from certified organic production and may be coupled with other measures, including the WN to prevent future non-compliance, and any other measure relevant to the situation particularly where the products have already been retailed.

Product recall (PR): Control Authority or Control Body shall recommend a batch or product recall for organic products already in circulation but do not meet the standards laid down in the organic regulations. A product recall may be initiated after a non-compliance has been established and when there is proof that the organic integrity of the product or supply chain has been affected.

Reduction of scope of certificate (RSC): This measure is linked with serious, repeated, major and critical non-compliance or when it has been established that operator does not have the competency to implement an appropriate self-control system. For an operator to recover the

previous certification elements, it would be necessary to start a new certification process. A reduction in the scope does not result in a full loss of status as an organic operator but it translates into elimination of specific aspects such as type of products and operator’s certification type.

Re-Conversion (CONV): Where a major or critical non-compliance affecting the organic status of the organic producer/land/production unit these shall no longer be certified as organic and the production units would require re-conversion in accordance with the conversion periods applicable to the specific production area. This measure is comparable to the DG measure albeit it shall be applied in the event that the organic status of the whole production unit has been compromised or/and when a tougher dissuasive measure is required following the detection of major or critical non-compliance. In the event the affected unit is under conversion, the re-conversion shall apply regardless to conventional status

Withdrawal of Certification (WDR): This type of measure is linked with critical, persistent non-compliance and shall result in a full loss of organic operator’s status. The withdrawal period will automatically enforce a ban on the operator eligibility to re-apply for organic certification for at least 6 months, following which re-conversion must be sought.

(ii) Measure – Infringement table

Category of non-compliance	Measure
Minor non-compliance	Correct the non-compliance and prevent further occurrences of such non-compliances (WN) Prohibition of placing product on the market which refer to organic production for a given period (PP)
Major non-compliance	Decertification of products from in-conversion and organic status to conventional (DG) Prohibition of placing product on the market which refer to organic production for a given period (PP) Re-conversion (CONV) Request to re-collect affected product from the market (PR)
Critical non-compliance	Decertification of products from in-conversion and organic status to conventional (DG) Prohibition of placing product on the market which refer to organic production (PP)

	Reconversion (CONV) Request to re-collect affected product from the market (PR) Reduction of the scope of the certificate (RSC) Withdrawal of the certificate (WDR)
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4. Catalogue of Measures

	Nature of non-compliance	Legal basis	Type of non-compliance	Measure		
				1 st finding	Subsequent findings	Follow-up
1. General Rules						
1.1	Use of products and substances not authorised for use in organic production	Art. 9 (3), 24, 28 and 29 (2) of Reg. (EU) 2018/848 Art. 1, 2, 3, and 4 of Implementing Reg. (EU) 2021/1165	Critical	WN; PP; PR; DG; CONV; RSC	WDR	- PR if necessary executed by CAs
1.2	GMO, products produced from GMOs, and products produced by GMOs used in food or feed, or as food, feed processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms or animal in organic production.	Art. 5 (f) and 11 of Reg. (EU) 2018/848 (848/2018 Art.11(1))	Critical	WN; PP; PR; DG; CONV; RSC	WDR	- PR if necessary executed by CAs

1.3	Use of ionising radiation in the whole organic food chaining, in the treatment of organic food or feed, and in the treatment of raw materials used in organic food or feed	Art. 5 (i) and 9 (4) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	DG; WDR	- PR if necessary executed by CAs
1.4	List of subcontractors is incomplete, processing steps not subject to the control procedure	Art. 39 (1)(b) of Reg. EU 2018/848 Art. 3 (a) of Implementing regulation (EU) 2021/2119	Major	WN; RSC	WDR	
1.5	Absence or insufficient preventive and precautionary measures taken, where appropriate, at every stage of production, preparation and distribution to avoid contamination with products or substances that are not authorised in accordance with the first paragraph of Art. 9(3) for use in organic production.	Art. 5 (f); 9 (6); 16 (2)(a); 28 (1); 38 (1)(a); Annex II, Part IV, Point 1.4. and Part V, Point 1.4. of Reg. (EU) 2018/848 Delegated Reg. (EU) 2021/1691	Minor	WN	WDR	- DG and PR if organic product was contaminated - CONV if the contamination occurred on the parcels or holdings - WDR when there is repeated non-compliance
1.6	Placing of products on the market as 'organic' or as 'in-conversion' or prior to the conversion period before	Art. 34 (1) and 35 (1) (c) of Reg. (EU) 2018/848	Major	WN; DG	WDR	- WDR when there is repeated non-compliance

	notifying the competent authorities of the activity and submitting of undertaking to the control system. This may concern absence of initial notification of the activity or notified activity does not comply with the organic regulations					
1.7	Uncertified operators or group of operators placing products referred to in Art. 2(1) of Reg. (EU) 2018/848 on the market as organic products or in-conversion products	Art. 34 and 35 (2) of Reg. (EU) 2018/848	Minor	WN		- instruct the operator to enrol for the organic certification
1.8	Storage of allopathic veterinary medical products, including antibiotics not prescribed by a veterinarian in connection with the treatment referred to in points 1.5.2.2. of Part II and 3.1.4.2(a) of Part III of Annex II of Reg. (EU) 2018/848, in agricultural and aquaculture holdings	Art. 23; Annex III, Point 7.3. of Reg. (EU) 2018/848	Minor	WN		
1.9	Storage of allopathic veterinary medicinal products, including	Art. 23; Annex III, Point 7.3. of Reg. (EU) 2018/848	Minor	WN		

	antibiotics in an unsupervised location					
1.10	<p>In cases referred to 9, paragraphs 7, 8 and 9 in Art. of Reg. (EU) of 2018/848, not all production units of a holding are managed under organic production rules, the operator:</p> <p>a) does not keep the products used for the organic and in-conversion production units separate from those used for the non-organic production units;</p> <p>b) does not keep the products produced by the organic, in-conversion and non-organic production units separate from each other;</p>	Art. 9 (10) of Reg. (EU) 2018/848	Major	WN; DG	DG; RSC; WDR	<p>- DG if the products concerned are not packaged and there is a high risk of contamination</p> <p>- RSC/WDR when there is repeated non-compliance</p>
1.11	<p>A holding used for parallel production which is not split into clearly and effectively separated production units.</p> <p>With regards to the non-organic production units:</p> <p>a) as regards to livestock, same species are involved;</p>	Art. 9 (7) of Reg. (EU) 2018/848	Minor	WN		- DG if necessary

	b) as regards plants, same varieties are involved					
1.12	Non-compliance with the provisions laid down in Art. 9 (8) of Reg. (EU) 2018/848 regarding perennial crops	Art. 9 (7)(8) of Reg. EU 2018/848	Minor	WN		- DG if necessary
1.13	Lack of records to show the effective separation of the organic and non-organic production units and of the products.	Art. 9 (9)(c) of Reg. (EU) 2018/848	Major	WN, DG	WDR	- WDR when there is repeated non-compliance
1.14	Mass balance: The balance between input: production factors and output: products obtained cannot be demonstrated from documentation.	Art. 39 (1a) of Reg. (EU) 2018/848 Art. 2 of Implementing Reg. (EU) 2021/2119 Art. 1 and 5 of Delegated Reg. (EU) 2021/771	Major	WN	DG; WDR	
1.15	Lack of documents to demonstrate compliance with pertinent organic production	Art. 39 (1a) of Reg. 2018/848	Minor	WN		

	regulations, including stock and financial records	Art. 2 of Implementing Reg. (EU) 2021/2119				
1.16	Non-compliance with the provisions laid down in Art. 27 of Reg. (EU) 2018/848 in the event of suspicion of non-compliance	Art. 27 of Reg. (EU) 2018/848	Minor	WN	RSC	
2. Labelling/marketing						
2.1	Sale and marketing of non-organic (incl. in-conversion) product as organic	Art. 10 and 30 of Reg. (EU) 2018/848	Critical	WN; PP; PRDG; RSC		- Product recall if necessary executed by CAs
2.2	Display, logo or/and reference to organic and in-conversion scheme non-compliant	Art.30, 32, 33 of Reg (EU) 2018/848	Major	WN; PR	DG; WDR	- Statement of intent and full collaboration by operator - WDR when there is repeated non-compliance
2.3	Labelling and/or use of the term 'organic' as referred to in paragraph 1 of Art. 30 of Reg. (EU) 2018/848 in the sales description for processed food which have less than 95% of the	Art. 30 (5) of Reg. (EU) 2018/848	Major	WN; PP; DG;	WDR	- Reference to the term 'organic' shall be used only in the list of ingredients.

	agricultural ingredients of the product by weight are organic.					- WDR when there is repeated non-compliance
2.4	Use of the terms referred to in paragraph 1 and 3 of Art. 30 of Reg. (EU) 2018/848 related to organic production for products for which Union Law requires labelling or advertising to state that the product contains GMOs, consists of GMOs or is produced from GMOs.	Art. 11 and 30 (4) of Reg. (EU) 2018/848	Major	WN; PP; DG	WDR	- WDR when there is repeated non-compliance
2.5	Marketing and/or labelling of products produced during the conversion period, as organic or as in-conversion products which do not comply with Art.10 (4) of Reg. (EU) 2018/848	Art. 10 (4) and 30 (3) of Reg. (EU) 2018/848	Major	WN; PP; DG	WDR	- WDR when there is repeated non-compliance
2.6	Marketing of food products of plant origin and feed products of plant origin, containing more than one agricultural crop ingredient, and/or having a conversion period of less than 12 months before the harvest, as organic products or as in-conversion products	Art. 10 (4) of Reg. (EU) 2018/848	Major	WN; PP; DG	WDR	- WDR when there is repeated non-compliance

2.7	Marketing of plant reproductive material with a conversion period of less than 12 months as organic or in-conversion products	Art.10 (4) and 30 of Reg. (EU) 2018/848	Major	WN; PP; DG	WDR	- WDR when there is repeated non-compliance
2.8	No or incorrect labelling in accordance with Annex III, Point 2.1.2. of Reg. (EU) 2018/848 on compound feed authorised in organic production transported to other operators or holding, including wholesaler and retailers	Art. 23; Annex III, Point 2.1.2. of Reg. (EU) 2018/848 Delegated Reg. (EU) 2021/642	Major	WN; PP; DG	WDR	- WDR when there is repeated non-compliance
3. Plant production						
3.1	Cultivation of crops which do not naturally grow in water using hydroponic production methods	Art. 12; Annex II, Part I, Point 1.2. of Reg. (EU) 2018/848	Major	WN; PP; DG	DG; RSC; WDR	- WDR when there is repeated non-compliance
3.2	Non-compliance with the condition applicable to the derogations of point 1.1 of Part I of Annex II of Reg. (EU) 2018/848	Art. 12; Annex II, Part I, Point 1.3. and 1.4 of Reg. (EU) 2018/848	Major	WN; PR; DG	PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance
3.3	The plant production techniques used contribute to the	Art. 12; Annex II, Part I, Point 1.6.	Major	WN; DG; RSC; CONV	PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance

	contamination of the environment	of Reg. (EU) 2018/848				
3.4	The mother plant and, where relevant, other plants intended for plant reproductive material production, have not been produced in accordance with the pertinent rules for organic production, for at least one generation in case for annual crops, or in the case of perennial crops, for at least one generation during two growing seasons	Art 12; Annex II, Part I, Point 1.8.2 of Reg. (EU) 2018/848	Major	WN; DG	PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance
3.5	Use of in-conversion and non-organic plant reproductive material without derogation	Art. 12; Annex II, Part I, Point 1.8. of Reg. 2018/848	Major	WN; DG	WDR	<ul style="list-style-type: none"> - Statement of intent and full collaboration by operator - Additional control/monitoring - Precautionary sampling of product and holding to exclude presence of seed contaminants or possibility of cross-contamination. - DG of product/parcel only

						if product integrity found compromised
	Use of in-conversion and non-organic plant reproductive material treated with plant protection products other than those authorised for the treatment of plant reproductive material in accordance with Article 24(1) of Reg. (EU) 2018/848, unless chemical treatment has been prescribed in accordance with Reg. (EU) 2016/20131 for phytosanitary purposes by the CA of the MS	Art. 12; Annex II, Part I, Point 1.8.5.3 of Reg. (EU) 2018/848	Major	WN; DG; CONV	WDR	
3.6	Use of GMO plant reproductive material	Art 11. Of Reg. (EU) 2018/848	Critical	WN; PP; PR; DG; CONV; RSC	WDR	
3.7	Stipulated in-conversion conditions and regulations not met during conversion period or at the end	Art. 9 (8) (10); 10; 12; Annex II, Part I, Point 1.7. of Reg. (EU) 2018/848	Major	WN; DG; CONV	WDR	<ul style="list-style-type: none"> - Statement of intent & full collaboration by operator - Extension of in-conversion period
3.8	Lack of cultivation practices used that maintain or increase soil organic matter, enhance soil stability and soil biodiversity,	Art. 12; Annex II, Part I, Point 1.9.1. of Reg (EU) 2018/848	Minor	WN	DG; RSC; WDR	<ul style="list-style-type: none"> - RSC/WDR when there is repeated non-compliance

	and prevent soil compaction and soil erosion					
3.9	Lack of inadequate crop rotation	Art.12; Annex II, Part I, Point 1.9.2 of Reg. (EU) 2018/848	Minor	WN	DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance
3.10	Non-use of short-term green manure crops and legumes and lack of use of plant diversity, in the case of greenhouses or perennial forage	Art. 12; Annex II, Part I, Point 1.9.2. (b) of Reg. (EU) 2018/848	Minor	WN	DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance
3.11	Use of fertilisers and soil conditioners not authorised in accordance with Art.24 of Reg. (EU) of 2018/848	Art 12; Annex II, Part I, Point 1.9.3. of Reg. (EU) 2018/848 Annex II of Implementing Regulation (EU) 2021/1165	Critical	WN; PP; PR; DG; CONV	WDR	- PR if necessary executed by CAs - Precautionary sampling of product and holding to exclude presence of contaminants or possibility of any cross-contamination - WDR when there is repeated non-compliance
3.12	The total amount of animal manure used in the in-conversion and organic production units exceeds 170kg	Art. 12; Annex II, Part I, Point 1.9.4 of Reg. (EU) 2018/848	Minor	WN	DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance

	of nitrogen per year/hectare of agricultural area used.					
3.13	Use of mineral nitrogen fertiliser	Art 12; Annex II, Part I, Point 1.9.8 of Reg (EU) 2018/848	Major	WN; DG; CONV	CONV; WDR	- WDR when there is repeated non-compliance
3.14	Lack of preventive measures to minimise damage caused by pests and weed	Art. 12; Annex II, Part I, Point 1.10.1. of Reg. (EU) 2018/848	Minor	WN	RSC; WDR	- RSC/WDR when there is repeated non-compliance
3.15	Traps and dispensers do not prevent the products and substances from being released into the environment and do not prevent contact between the products and substances and the crop being cultivated, or are not safely disposed of after use	Art 12; Annex II, Part I, Point 1.10.3. of Reg. (EU) 2018/848	Minor	WN	DG; RSC	- RSC when there is repeated non-compliance
3.16	Use of unauthorised plant protection products in crop and feed production	Art. 9 (3); 12; 24; Annex II, Part I, 1.10.2 of Reg. (EU) 2018/848 Art 1. of Implementing	Critical	WN; PP; PR; DG; CONV	WDR	- PR if necessary executed by CAs

		Reg. (EU) 2021/1165				
3.17	Use of cleaning and disinfection products not authorised in accordance with Art. 24 of Reg. (EU) 2018/848	Art. 12; 24; Annex II, Part I, Point 1.11. Annex IV of Implementing Reg. (EU) 2021/1165	Major	WN; PP	PP; PR; DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
3.18	Records not updated however still compliant with the rules pertinent to organic production	Art. 12; 1.8.5.7, 1.9.3., 1.10.2., 1.11., 1.12. of Reg. (EU) 2018/848 Annex, 1 (a) to 1 (d) of Delegated Reg. (EU) 2018/848	Minor	WN		
3.19	Non-existent and non-updated records available, making it impossible to determine compliance with the rules pertinent to organic production	Art. 12; 1.8.5.7; 1.9.3., 1.10.2., 1.11., 1.12. of Reg. (EU) 2018/848	Major	WN; PR, PP, DG	PR, PP, DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs

		Annex, 1(a) to 1(d) of Delegated Reg. (EU) 2018/848				
4. Wine						
4.1	Use of non-organic raw material for the production of products of the wine sector	Art. 18; Annex II, Part VI, Point 2.1, of Reg. (EU) 2018/848	Major	WN; PP; PR; DG;	PP; PR; DG; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
4.2	Wine contains both organic and non-organic yeast	Art. 18; Annex II, Part VII, Point 1.2. of Reg. (EU) 2018/848	Major	WN; PP; DG	PP; PR; DG; WDR	- WDR when there is repeated non-compliance
4.3	Use of unauthorised products and substances pursuant to Art. 24 of Reg. (EU) 2018/848 for use in organic production for the making of products of the wine sector, including during the oenological practices, processes and treatments, subject to the conditions and restrictions laid down in Reg. (EU) No 1308/2013 and Reg. (EU) No 606/2009, and in particular in	Art. 18; Annex II, Part VI, Point 2.2. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs

	Annex IA to the latter Regulation					
4.4	Use of prohibited oenological practices, processes and treatments	Art. 18; Annex II, Part VI, Point 3.1. and 3.2. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
4.5	Non-compliance with the conditions of use of permitted oenological practices, processes and treatments	Art. 18; Annex II, Part VI, Point 3.3. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
4.6	Records not updated however still compliant with the rules pertinent to organic production	Art 18, Annex II, Part VI, Point 2.3. of Reg. (EU) 2018/848 Annex, Point 6 of Delegated Reg. (EU) 2021/1691	Minor	WN		
4.7	Non-existent and non-updated records available, making it impossible to determine	Art 18, Annex II, Part VI, Point 2.3.	Major	WN; PP; PR; DG	PP; PR; DG; RSC	- RSC when there is repeated non-compliance

	compliance with the rules pertinent to organic production	of Reg. (EU) 2018/848 Annex, Point 6 of Delegated Reg. (EU) 2021/1691				- PR if necessary executed by CAs
5. Processed feed production rules						
5.1	Non-compliance with the implementation of the procedures referred to in point 1.2. and 1.4. of Reg. (EU) 2018/848	Art 17; Annex II, Part V, Point 1.2. and 1.4. of Reg. (EU) 2018/848	Minor	WN; PP	PP; PR; DG; RSC	- RSC when there is repeated non-compliance
5.2	Techniques that are not authorised for use in the processing of feed products in organic production. Techniques that reconstitute properties that are lost in the processing and storage or organic feed, that correct the results of negligence in the processing or that otherwise mislead as to the true nature of these products.	Art. 8 (c) and 17 (3) of Reg. (EU) 2018/848 Art. 24 (1) of Implementing Reg. (EU) 2020/464	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
5.3	Organic or in-conversion feed materials entering simultaneously with the same feed material produced by non-	Art. 17; Annex II, Part V, Point 2.1. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance

	organic means into the composition of the organic feed product					- PR if necessary executed by CAs
5.4	Use of chemically synthesised solvents to process any feed material used or processed in organic production	Art. 17; Annex II, Part V, Point 2.2. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
5.5	Use of non-organic feed material of plant, algal, animal or yeast origin, feed material of mineral origin, and feed additives and processing aids not authorised under Art. 24 of Reg. (EU) 2018/848 for use in organic production in the processing of feed	Art. 17; Annex II, Part V, Point 2.3. of Reg. (EU) 2018/848 Annex III of Implementing Reg. (EU) 2021/1165	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
5.6	Use of cleaning and disinfection products not authorised in accordance Art 24. of Reg. (EU) 2018/848	Art. 17; 24; Annex II, Part V, Point 2.4. of Reg. (EU) 2018/848 Annex IV, Part C of Reg. (EU) 2021/1165	Major	WN; PP	PP; PR; DG; RSC	- WDR when there is repeated non-compliance - PR if necessary executed by CAs

5.7	Records not updated however still compliant with the rules pertinent to organic production	Art. 17; Annex II, Part V, Point 1.4 .(a), 1.4. (b) and 1.5. (d) of Reg. (EU) 2018/848 Annex, 5 (a) to 5 (c) of Delegated Reg. (EU) 2021/1691	Minor	WN		
5.8	Non-existent and non-updated records available, making it possible to determine compliance with the rules pertinent to organic production	Art. 17; Annex II, Part V, Point 1.4. (a), 1.4. (b) and 1.5. (d) of Reg. (EU) 2018/848 Annex, 5 (a) to 5 (c) of Delegated Reg. (EU) 2021/1691	Major	WN; PR; PP; DG	PR; PP; DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
6. Processed Food Production rules						
6.1	Lack of implementing suitable cleaning measures, thus not monitoring their effectiveness and non-existent and/or non-updated records	Art. 16; Annex II, Part IV, Point 1.4. (b) of Reg. (EU) 2018/848	Minor	WN	PP; PR; DG; RSC	- DG when there is repeated non-compliance and in case of contamination due

						to lack of suitable cleaning measures - RSC when there is repeated non-compliance
6.2	Products, substances and techniques that reconstitute properties that are lost in the processing and storage or organic food, that correct the results of negligence in the processing of organic food, or that otherwise mislead as to the true nature of products intended to be marketed as organic food.	Art. 7 (c) and 16; Annex II, Part IV, Point 1.6. of Reg. (EU) of 2018/848 Art. 23 (1) of Implementing Reg. (EU) 2020/464	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAS
6.3	Non-compliance with the rules of use of ion exchange and adsorption resin techniques used for the preparation of organic raw materials in line with Art. 23 (2) of Implementing Reg. (EU) 2020/464	Art. 16 (3) of Reg. (EU) 2018/848 Art. 23 (2) of Implementing Reg. (EU) 2020/464	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAS
6.4	The composition of processed organic food products is not produced mainly from agricultural ingredients products or products intended for use as	Art. 16; Annex II, Part IV, POINT 2.1. (a) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance

	food listed in Annex I of Reg. (EU) 2018/848					- PR if necessary executed by CAs
6.5	Presence of non-organic ingredient together with the same organic ingredient in the composition of processed organic food products	Art 16; Annex II, Part IV, Point 2.1. (b) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance - PR if necessary executed by CAs
6.6	Presence of an in-conversion ingredient together with the same ingredient in organic or non-organic form	Art. 16; Annex II, Part IV, Point 2.1. (c) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance - PR if necessary executed by CAs
6.7	Use of unauthorised food additives, processing aids and non-organic agricultural ingredients not included in Art. 24 or Art. 25 of Reg. (EU) 2018/848, and use of products and substances not referred to in point 2.2.2 of Annex II, Part IV of Reg. (EU) 2018/848 (except of products and substances of the wine sector)	Art. 16, Annex II, Part IV. Point 2.2.1. and 2.2.2. of Reg. (EU) 2018/848 Annex V, Part A and B of Reg. (EU) 2021/1165	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance - PR if necessary executed by CAs
6.8	Use of unauthorised non-organic agricultural ingredients for processed organic food which do not fall under the	Art. 16; 25 (1) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC; WDR	- RSC/WDR when there is repeated non-compliance

	provisional authorisation granted as referred to in paragraph 1 of Art. 25 Reg. (EU) 2018/848					- PR if necessary executed by CAs
6.9	Use of cleaning and disinfection products not authorised under Art. 24 of Reg. (EU) 2018/848 for use in processing	Art. 16 and 24; Annex II, Part IV, 2.2.3. of Reg. (EU) 2018/848 Annex IV, Part C or Reg. (EU) 2021/1165	Major	WN; PP	PP; PR; DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
6.10	Records not updated however still compliant with the rules pertinent to organic production	Art. 16, Annex II, Part IV, Point 1.4. (b), 1.5. (d), 1.7., 2.2.3. and 2.3. of Reg. (EU) of 2018/848 Annex, 4(a) to 4(d) of Delegated Reg. (EU) 2021/1691	Minor	WN		

6.11	Non-existent and non-updated records available, making it impossible to determine compliance with the rules pertinent to organic production	<p>Art. 16, Annex II, Part IV, Point 1.4. (b), 1.5. (d), 1.7., 2.2.3. and 2.3. of Reg. (EU) of 2018/848</p> <p>Annex, 4(a) to 4(d) of Delegated Reg. (EU) 2021/1691</p>	Major	WN; PP; PR; DG	PP; PR; DG; RSC	<p>- RSC when there is repeated non-compliance</p> <p>- PR if necessary executed by CAs</p>
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7. Collection of products and transport to preparation units

7.1	Simultaneous collection of organic, in-conversion and non-organic products without taking appropriate measures to prevent any possible mixture or exchange between products	Art. 23; Annex III, Point 1. Of Reg. (EU) 2018/848	Minor	WN; PP; PR; DG	PP; PR; DG; RSC	<p>- Until the products concerned are packaged and can be identified (organic/in-conversion/non-organic) only a WN will be issued. If the products are stored unpackaged and there is a high risk of getting mixed a WN/PP/PR/DG shall be issued.</p> <p>- RSC when there is repeated non-compliance</p>
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7.2	Non-existent or non-updated records related to collection days, hours, the circuit and date and time of the reception of the products	Art. 23; Annex III, Point 1. of Reg. (EU) 2018/848	Minor	WN	RSC	- RSC when there is repeated non-compliance
8. Packaging and transport of products to other operators and units						
8.1	Non-compliance with the transportation rules established for organic and in-conversion products related to the labelling/identification and packaging of the products concerned without compromising traceability	Art. 23; Annex III, Point 2.1.1. and 2.2. of Reg. (EU) 2018/848 Delegated Reg. (EU) 2021/642	Minor	WN; PP	PP; PR; DG; RSC	- PR / DG/ RSC when there is repeated non-compliance
8.2	Non-compliance with the transportation rules established for organic and in-conversion products related to the labelling/identification and packaging of the products concerned compromising traceability	Art. 23; Annex III, Point 2.1.1. and 2.2. of Reg. (EU) 2018/848 Delegated Reg. (EU) 2021/642	Major	WN; PP; PR; DG	PP; PR; DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
8.3	The total percentage by weight of organic and in-conversion seeds in the mixture is less than 70%	Art. 23; Annex III, Point 2.1.3. of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC	- RSC when there is repeated non-compliance

		Annex to Delegated Reg. (EU) 2021/642				- PR if necessary executed by CAs
8.4	When transporting feed there is no effective physical separation of organically produced feed, in-conversion feed, and non-organic feed	Art. 23; Annex III, Point 3 (a) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
8.5	Non-compliance with the rules established for the transport of organic and in-conversion feed products in vehicles or containers which have formerly been used for the transport of non-organic products	Art. 23; Annex III, Point 3 (b) of Reg. (EU) 2018/848	Major	WN; PP	PP; PR; DG RSC	- RSC when there is repeated non-compliance - PR if necessary executed by CAs
8.6	The transport of finished organic or in-conversion feed are not separated physically or in time from the transport of other finished products	Art. 23; Annex III, Point 3 (c) of Reg. (EU) 2018/848	Major	WN; PP; PR; DG	PP; PR; DG; WDR	- WDR when there is repeated non-compliance - PR if necessary executed by CAs
8.7	During transport, the quantity of products (feed) at the start and each individual quantity	Art. 23; Annex III, Point 3 (d) of Reg. (EU) 2018/848	Minor	WN	PP; RSC	- RSC when there is repeated non-compliance

	delivered in the course of a delivery round are not recorded					
9. Storage of Products						
9.1	Storage conditions do not ensure clear identification of organic and in-conversion products, and are not managed in such a way to ensure the avoidance of any mixing or contamination with products or substances not in compliance with the organic production rules	Art. 23; Annex III, Point 7.1. of Reg. (EU) 2018/848	Minor	WN; PP; PR; DG	PP; PR; DG; RSC	<p>- Until the products stored are packaged and there is no risk of contamination, only a WN will be issued. If the products are stored unpackaged and there is a high risk of contamination a WN/PP/PR/DG shall be issued.</p> <p>- RSC when there is repeated non-compliance</p>
9.2	Products or substances other than those authorised pursuant to Art.9 and Art. 24. Of Reg. (EU) 2018/848 for use in organic production, are stored in organic or in-conversion plant and livestock production units.	Art. 23; Annex III, Point 7.2. of Reg. (EU) 2018/848	Minor	WN	PP; RSC	- RSC when there is repeated non-compliance
9.3	Lack of suitable cleaning measures taken before the	Art. 23; Annex III, Point 7.4. (c) of	Minor	WN	PP; DG; RSC	- DG when there is repeated non-compliance and in case of contamination due

	storage of organic and in-conversion products.	Reg. (EU) 2018/848				to lack of suitable cleaning measures - RSC when there is repeated non-compliance
9.4	Non-existent or non-updated cleaning records concerning the storage facilities of organic and in-conversion products	Art. 23; Annex III, Point 7.4. (c) of Reg. (EU) 2018/848	Minor	WN	PP; DG; RSC	- DG / RSC when there is repeated non-compliance
9.5	Use of products for cleaning and disinfection not authorised under Art. 24 of Reg. (EU) 2018/848 for use in organic production	Art. 23; Annex III, Point 7.5. of Reg. (EU) 2018/848	Minor	WN	PP; RSC	- RSC when there is repeated non-compliance
10. Imports of organic products from third countries						
10.1	The importer responsible for the consignment does not inform the Competent Authority regarding imports prior to being released for free circulation	Art. 3 of Reg. (EU) 2021/2307	Minor	WN	RSC	- RSC when there is repeated non-compliance
10.2	The importer receiving organic and/or in-conversion products does not check and report the closing of the packaging or container of the concerned products	Annex III, Point 6 of Reg. (EU) 2018/848	Minor	WN	RSC	- RSC when there is repeated non-compliance

10.3	The certificate of inspection does not comply with the requirements set in the organic production regulations	Art. 45 (1) of Reg. (EU) 2018/848 Art. 4 of Reg (EU) 2021/2307	Major	WN; DG	DG; RSC	- RSC when there is repeated non-compliance
10.4	Organic products imported without the certificate of inspection	Art. 45 (1) of Reg. (EU) 2018/848 Art. 5 of Reg (EU) 2021/2307	Major	WN; DG;	DG; WDR	<p>- If this will be a certified importer and complies with the downgrade/destruction /return to exporter of the organic products concerned, no further measures are taken.</p> <p>- If the importer is certified and does not comply with the measures imposed by the CA, that is downgrade/destruction /return to exporter and still places the products on the market, a withdrawal of the certification is applied.</p> <p>- WDR when there is repeated non-compliance</p>

10.5	Certificate of inspection number not indicated in the customs declaration for release for free circulation	Art. 4 (2) of Reg. (EU) 2021/2307	Minor	WN	DG; RSC	- DG or RSC when there is repeated non-compliance
10.6	The imported product does not comply with the requirements laid down in EU rules on organic farming concerning the production of products imported from third countries.	Art. 45 of Reg 848/2018	Major	WN; PP; DG;	DG; RSC	- DG or RSC when there is repeated non-compliance
10.7	Importer, first consignee or exporter is not certified thus not subject to the control procedure.	Art. 34; 35 (2); 45 of Reg. (EU) 2018/848	Critical	WN; DG;	DG	- the operator can either downgrade/destroy/return to export the products concerned - instruct the operator to enrol for the organic certification