

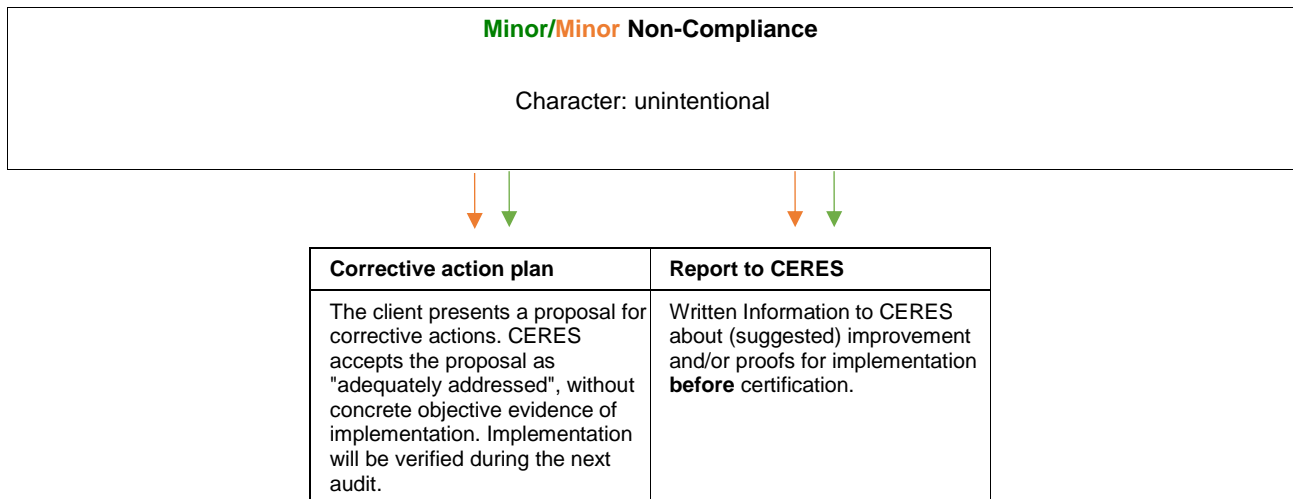
# Sanction Catalogue – Organic Production

## 1. Introduction

The present work instruction gives a general guideline for sanctions to be applied for organic operators who do not comply with the standards. The noncompliance handling procedure is described in WI 4.9.1. Further details that apply during the transitional period of Reg (EC) 834/07 until 31.12.2024, NOP and JAS are to be found in more specific Policy 4.9.2.1, and in the "Details of NC" template 4.9.3.1 or the corresponding Intact checklists (Reg (EU) 2018/848).

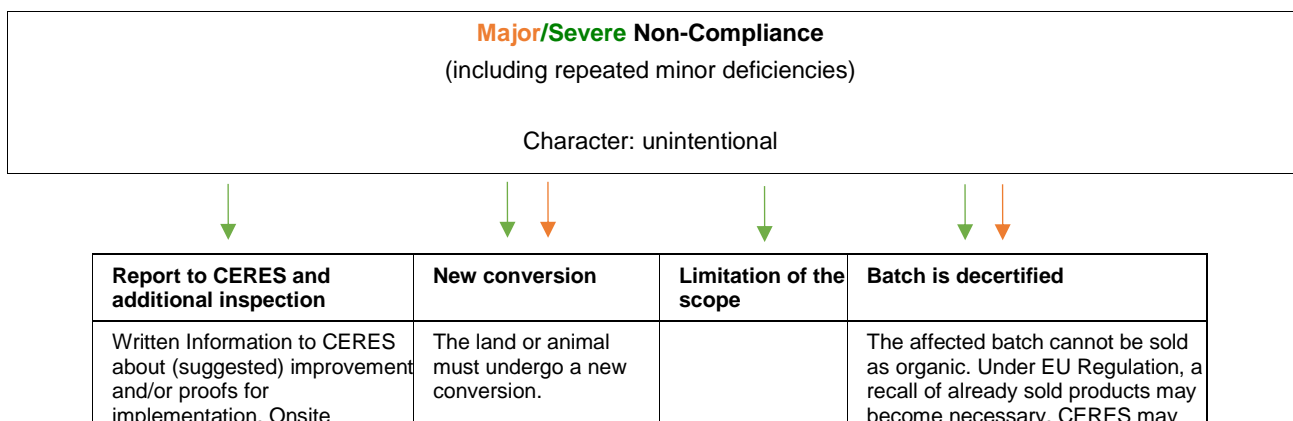
***In countries, where official sanction catalogues for organic production exist (namely the EU member countries), these official catalogues overrule the present internal instruction.*** (The sanction levels in orange are applicable for the regulation EU 2018/848 the ones in green for all other organic standards)

## 2. General approach



The case of non-compliance is **minor**

- when the precautionary measures put in place by the operator are proportionate and appropriate, and the controls that the operator has put in place are efficient according to the assessment by the control body.
- when the non-compliance does not affect the integrity of the organic or in-conversion product.
- when the traceability system can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the European Union/United States with reference to organic production.



verification of implementation of corrective actions must take place before certification.			invalidate already issued COIs
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The case of non-compliance is **major**

- when the precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are inefficient according to the assessment by the control body.
- when the non-compliance affects the integrity of the organic or in-conversion product.
- when the operator did not correct in a timely manner a minor non-compliance.
- when the traceability can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the European Union/United States with reference to organic production.

**Severe Infringements/ Critical Non-Compliance**  
(including repeated severe non-compliances);  
  
Character: intentional

New conversion	Limitation of the scope	Batch is decertified	Suspension	Withdrawal
The land or animal must undergo a new conversion.		The affected batch cannot be sold as organic. Under EU Regulation, a recall of already sold products may become necessary. CERES may invalidate already issued COIs	The certificate is temporarily suspended	Definitive withdrawal of the certificate and cancellation of contract.

The case of non-compliance is **critical**

- when the precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are inefficient according to the assessment by the control body.
- when the non-compliance affects the integrity of the organic or in-conversion product.
- when the operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances.
- when there is no information from the traceability system to locate the affected product(s) in the supply and the products cannot be prevented from being imported from a third country for the purpose of placing that product on the market within the European Union/United States with reference to organic production.

### 3. Examples

#### a) Minor Non-Compliances (Examples)

- Lack or default of the operators obligations for appropriate record keeping
- Lack or default of the operators obligations to maintain a transparent book keeping system
- Missing or outdated certificates of raw material providers, in the case where the material was in compliance.
- Delayed submission of the Organic Management Plan
- Insufficient qualification of grading personnel (in case of JAS)
- Inappropriate action with regard to the complaint management

#### b) Severe/Major Non-Compliances (Examples)

- Significant deviation between input and output calculation (mass balance)
- Repeated occurrence of the same minor deficiencies (see a)
- Failure to report about non-compliances from previous certifications
- Failure to report about conventional parts of operation
- Any event which might put at risk the „organic integrity“ of the certified goods
- Lack of separation between certified and uncertified products
- Cultivation of the same crop on conventionally as well as organically managed fields (only annual crops in case of EU-certification)
- Repeated failure to prevent soil erosion
- Unintentional or unconscious use of illicit inputs
- Failure to prevent pesticide drift or implement preventive measures against contamination
- Missing or outdated certificates of raw material providers
- Substantial intransparency or discrepancy in the commodity flow
- Failing to conduct the grading procedure including failing to maintain grading records at all or failing to maintain correct grading records over a longer period (in case of JAS)
- Unintentional attachment of labels on non-complying products
- Unintentional misleading advertisement (including advertisement of non-certified products of the operator)
- Denial for payment of the established certification fee

#### c) Severe Infringements/Critical Non-Compliance (Examples)

- Absence of records and financial records showing the compliance with Regulation (EU) 2018/848
- Intentional omission of information leading to incomplete records
- Falsification of documents connected with the certification of organic products
- Intentional re-labelling of downgraded products as organic, intentional mislabeling
- Intentional mixing organic with in-conversion or non-organic product
- Intentional use of non-authorized substances or products within the scope of the Regulation (EU) 2018/848
- Intentional use of GMOs
- The operator refuses the control authority or the control body access to premises subject to controls, or to its book keepings, including financial records, or refuses to allow the control authority or control body to take samples
- Repeated occurrence of the same severe deficiencies (see b)
- Failure to report about previous denials of certification
- Intentional use of illicit inputs
- Intentional misleading advertisement (including advertisement of non-certified products of the operator)
- Intentional false reporting
- Missing or outdated certificates of raw material providers, in the case where the material was not in compliance.
- Failure to inform about subcontractors involved in organic production or processing
- Intentional fraud in what refers to separation and „organic integrity“
- Infringement of the order/ruling of the certification body or the competent authority, e.g. order to remove labels of products that obviously do not comply with the respective standard

#### Remarks

More detailed information is found in the sanction list. This document can be made available to interested clients upon request. ***In countries, where official sanction catalogues for organic production exist***

*(namely the EU member countries), these official catalogues overrule the present internal instruction.*