

# Good implementation practices for Articles 28 and 29 of Regulation (EU) 2018/848

**Handles, keys and levers for investigation of residue cases  
in EU organic production**

Open discussion on the concept and the content

Brussels, 25 and 26 January 2024

Introduction

Chapter 1: The most common contaminants found in organic production

Chapter 2: Laboratory analysis: the main tool for detection of contamination

Chapter 3: Potential sources and causes of contamination

## **Chapter 4: The toolbox for investigation methods and techniques**

Chapter 5: Systematic approach for official investigations

Chapter 6: The role of the different actors in the investigation.

6.1: Assessments conducted by the operator (Art. 28)

6.2: Investigations conducted by the control bodies (Art. 29)

6.3: Investigations conducted by the competent authorities (Art. 29)

6.4: Information exchange including cross-border communication (OFIS)

Chapter 7: Decision making

Conclusion

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- 1. Documentary analysis**
- 2. On-site inspection (unannounced)**
- 3. Mass balance and traceability checks**
- 4. Sampling and analysis**
- 5. Exchange of information**

## **Documentary analysis (office)**

- The analytical report
- The history of non-compliance of the operator
- Operator's description of organic activity

## **Documentary analysis**

- Records
- Transport documents
- Invoices
- Technical specifications

## **On-site inspection (if useful)**

- Recognise indicators of non-authorized products and substances
- Interviewing the operator
- Collecting evidence
- Inspection of ongoing production
- Drafting the inspection report

## **Mass balance (MB) and traceability (T) checks**

Mass Balance and Traceability:

- For the lots concerned
  - Risk based selection of the subjects MB & T checks in farms
  - MB & T checks in relation to post harvest operations
  - Mass balance checks in relation to issuing COIs
- 
- The weak spots

## **Sampling and analysis**

- Targeted sampling in organic production
- Assess the sampling context
- The sampling tool kit
- Adapted sampling techniques
- Selection of products subject to sampling
- The sampling protocol
- Storage and transport of samples
- Selection of the analytical method(s)



## **Exchange of information**

1. CB - competent authority
2. CB - CB
3. Requesting information
4. Answering

## Sensitive & complex issues

1. Unannounced inspections
2. Denunciations
3. Sampling of “expensive” and sensitive products
4. Yield (and ration) estimations
5. Transport between farmers
6. Products in stock
7. Losses, waste and other non-sales as organic



## Challenges

1. What if the operator does not respond?
2. How to respond/react?
- 3.
- 4.
- 5.
6. How to estimate the amounts of bulk products?
7. How to obtain reliable records?