

## Brief Information on Suspension of Organic Certification according to Regulation EU 2018/848

### 1. Introduction

- Under Regulation (EU) 2018/848 and Commission Delegated Regulation (EU) 2021/1698, Article 23(4) and Annex IV, suspension of the certificate is one of the measures that may be applied in cases of serious, repetitive, continued or critical non-compliance, as applicable.

### 2. What is a suspension?

- A suspension is a temporary certification measure applied in response to a critical non-compliance.
- During the suspension period, products covered by the suspension cannot be marketed or sold with reference to organic production.
- During the suspension period, CERES will not issue Certificates of Inspection (COIs) for products covered by the suspension.

### 3. When may a suspension be applied?

Suspension of the certificate may be applied as a proportionate measure in cases of critical non-compliance. According to Annex IV, Part A of Commission Delegated Regulation (EU) 2021/1698\*, a non-compliance is classified as critical when:

- the precautionary measures are not proportionate and appropriate and the controls implemented by the operator are inefficient;
- the non-compliance affects the integrity of the organic or in-conversion product;
- the operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances; and
- the traceability system cannot locate the affected products in the supply chain, and the products cannot be prevented from being imported from a third country for placing them on the EU market with reference to organic production.

*\* For critical non-compliances, Annex IV provides for several possible measures, including limitation of the certificate's scope, suspension of the certificate, and withdrawal of the certificate.*

### 4. What is the operator required to do during the suspension?

- Implement the corrective actions related to the NCs that led to the suspension.
- Submit the implemented corrective actions and the corresponding evidence to CERES sufficiently in advance of the suspension deadline to allow their review and verification.
- Cooperate with CERES in scheduling and conducting the required follow-up inspection sufficiently in advance of the suspension deadline, allowing CERES to verify the effective implementation of the corrective actions.

## 5. When can the suspension be lifted?

- The suspension can be lifted only when the corrective actions related to the NCs that led to the suspension have been satisfactorily implemented and CERES has obtained sufficient evidence of their effective implementation.

## 6. What are the consequences if the corrective actions are not implemented within the established suspension period?

- If an operator does not implement and submit the required corrective actions within the established suspension period or does not cooperate with CERES in the follow-up inspection, the suspension cannot be lifted. The case must then be reassessed to determine the appropriate subsequent enforcement measure, which may include a proposal for withdrawal of the certificate.