

CERES Policy


Policy on Organic Conversion Period

1	Aims	This policy establishes rules for recognition of organic management prior to first inspection, and minimum conversion period under Regulation (EC) 834/07*, NOP and JAS.
2	Background	Although conversion time is clearly defined in organic standards, these regulations do not establish detailed criteria for recognising organic management prior to the first inspection. In some cases, competition between certifiers may lead to a negative trend of decreasing standards in this respect.
3	Normative framework	<p>Regulation (EC) 889/08: Chapter 5: Conversion Rules; Art. 36: Plant and Plant Products: <i>"1. For plants and plant products to be considered organic, the production rules as referred to in Articles 9, 10, 11 and 12 of Regulation (EC) No 834/2007 and Chapter 1 of this Regulation and where applicable the exceptional production rules in Chapter 6 of this Regulation must have been applied on the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, at least two years before its use as feed from organic farming, or, in the case of perennial crops other than forage, at least three years before the first harvest of organic products.</i></p> <p><i>2. The competent authority may decide to recognise retroactively as being part of the conversion period any previous period in which:</i></p> <p><i>(a) the land parcels were subject of measures defined in a programme implemented pursuant to Regulations (EC) No 1257/99, (EC) No 1698/2005, or in another official programme, provided that the measures concerned ensure that products not authorised for organic production have not been used on those parcels, or</i></p> <p><i>(b) the parcels were natural or agricultural areas which were not treated with products not authorised for organic production. The period referred to in point (b) of the first subparagraph can be taken into consideration retroactively only where satisfactory proof has been furnished to the competent authority allowing it to satisfy itself that the conditions were met for a period of at least three years."</i></p> <p>NOP: § 205.202 Land requirements. Any field or farm parcel from which harvested crops are intended to be sold, labelled, or represented as "100 percent organic," "organic," or "made with organic (specified ingredients)" must:</p> <p><u>(b) Have had no prohibited substances, as listed in § 205.600, applied to it for a period of 3 years immediately preceding harvest of the crop.</u></p> <p>205.403(a) The initial on-site inspection must be conducted (...) when the land, facilities, and activities that demonstrate compliance or capacity to comply can be observed.</p> <p>JAS: Notification 59, Art. 4: The following criteria of manuring, sowing and planting, controlling noxious animals and plants must be based on the <u>cultivation at least 3 years before the first harvesting of perennial plants (except for pasture grass), and at least 2 years before sowing or planting of other plants than perennial plants. In the case of newly developed fields or fields, which have not been used for cultivation, prohibited substances must not be used at least 2 years, and these criteria must be based on the cultivation at least 1 year.</u></p> <p>Codex Alimentarius: Annex 1.A (1): <i>"The principles set out in this Annex should have been applied</i></p>

		<i>on the parcels, farm or farm units during a conversion period of at least two years before sowing, or in the case of perennial crops other than grassland, at least three (3) years before the first harvest of products as referred to in paragraph 1.1(a) of these guidelines. The competent authority, or where delegated, the official or officially recognized certification body or authority may decide in certain cases (such as idle use for two years or more) to extend or reduce that period in the light of previous parcel use but the period must equal or exceed 12 months."</i>
4	Terms	<ul style="list-style-type: none"> • Conversion period: The period during which <u>organic farming is practiced</u> on a parcel but there is no recognition yet of its crops as organic. For certification purposes it is generally seen as <u>the period of time from the last application of prohibited substances until the first seeding/harvesting of crops that can be certified</u> (it lasts either 24 and 36 months, depending on the crop and the rule). Synonym: Transition. • T1, T2, T3: First, second, third year of transition (conversion) • Retroactive recognition of previous land management: this is a term used only in the context of Reg. (EC) 834/07 (compliant or equivalent), for recognising a period before signing the certification contract as being part of the conversion period. It does not refer to operators that had been certified by another EC accredited certification body (CB) before. Recognising such certificates is not "retroactive recognition", it is our obligation (WI 4.2.13).
5	Policy	
5.1	Conversion period under NOP	<p>Even though NOP does not mention the term "conversion" or "transition", the above-mentioned §205.202 rules that no prohibited substances (referring especially to chemical fertilisers, pesticides, and sewage sludge) must have been applied on the respective plots during at least three years before harvest of organic products. Evidence that is accepted for acknowledging compliance with §205.202(b):</p> <ul style="list-style-type: none"> • Internal farm records showing non-use of "prohibited substances" (chemical fertilisers, insecticides, fungicides, herbicides, treated seeds) • A detailed plot wise field history including crops, their respective management, and the inputs used (including non-treated seeds!), for at least three years, completed and signed by the person who has been in charge of farm management during the three years; form 4.3.1.8 can be used for this purpose • A written confirmation from a credible third party that has been in close contact with the farm for three years • Evidence of the land having been abandoned, set aside or virgin. <p>Just as for any other certification decision, the acceptance of such evidence is not "blind". If management of the respective crops without prohibited substances during the previous three years is not really plausible, then CERES will deny NOP certification and require the operator to undergo the three years conversion period. This is the case e.g. for crops, on which basically everybody in the respective region, who is not certified organic, applies agrochemicals (e.g. most vegetables, commercial fruit or herb production, etc.).</p>
5.1.1	First inspection under NOP	<p>Because of the requirements defined under 205.403(a) (see Section 3 above), normally the first inspection to a farm must take place prior to harvest of the crops to be certified, so that compliance with the standard can be verified. If there are several different crops, which cannot be seen in the field at the same time, this may involve separate inspections for each crop. Exceptions to this general rule of "first inspection must take place prior to harvest" can only be granted if all the following conditions are met:</p> <p>a. The crop is perennial and can still be seen on the field after harvest</p>

		<p>b. There are no doubts concerning non-use of agrochemicals</p> <p>c. Sampling for pesticide residue testing can still be done in a meaningful way, if applicable (refer to WI 4.10.1 and 4.10.2, especially concerning half-lives of certain pesticides)</p> <p>d. The inspection takes place not more than two months after harvest</p> <p>e. The harvested product can be seen in stock, the harvested quantity is in line with what can be expected under the given conditions, and there are no doubts concerning traceability of the harvested product back to the organic field.</p>
5.2	Specifics of JAS	<p>JAS has two main differences with the EU Regulation regarding conversion:</p> <ul style="list-style-type: none"> • Land that has been abandoned or set aside or virgin, must be under organic cultivation during one year before it can be certified organic • The certifier comes in only in the second year of conversion. For the first year, the rules as described for NOP in Section 5.1 apply.
5.3	Start of conversion period under the EU Regulation	<p>Normally (without retroactive recognition of conversion period – see 5.4), conversion period under the EU Regulation starts with signing a certification contract with an accredited certifier.</p> <p>In case of farmer groups with internal control systems, the first internal inspection visit is considered as the starting point of the conversion period for the individual farmer – if the internal inspectors are competent enough to assess the situation correctly.</p>
5.4	Conform and equivalent implementation of the EU Regulation	<p>a. For "conform" products (i.e. in EU member countries), there are two options:</p> <ul style="list-style-type: none"> ○ If the farmer has participated in a government program, which assures non-use of chemicals, the respective time of documented participation in such a program can be considered as part of the conversion period. ○ If other proof exists (see 5.4 below), this can be considered only if they prove non-use of agrochemicals during at least 3 years (e.g. long-term fallow-land, or general non-use of chemicals on the respective crop in the whole region). <p>b. For "equivalent" products in third countries, CERES assesses plausibility and credibility of the evidence presented by the operator and can grant retroactive recognition for the respective period. If e.g. there is sufficient evidence for non-use of agrochemicals for one year, while the evidence for the time prior to this year is not sufficient, then the conversion period can be reduced by one year.</p> <p>c. In "equivalent" products in third countries listed in Annex III of Reg. EC 1235/08 (e.g. Tunisia, Chile), CERES follows the instructions of the respective competent authorities.</p>
5.5	Required evidence for retroactive recognition of non-use of prohibited substances under EU Regulation and JAS	<p>The inspector and the evaluation officer will verify credibility, plausibility and relevance of proof presented by the farm or farmer group regarding non-use of chemicals in the past, Inspectors must be adequately trained for this purpose. The following evidence can be considered:</p>

	Evidence	Details
a	Participation in an organic farming program	Can be a very valid evidence, if the program is run by a competent and trustworthy organisation.
b	Certification to a different organic standard	<p>This can be a valid evidence, if the standard and the certifier are trustworthy. This refers e.g. to national organic standards in different countries, or to private standards. CERES makes a case-to-case assessment on the reliability of the previous certification.</p> <p>When it comes to land that has been certified only to the NOP before (see 5.1 above), normally the effective date of NOP certification will be seen as the starting point of conversion for the EC certification, except:</p> <ul style="list-style-type: none"> • We deal with a crop with "general non-use of chemicals" (see Section (c) below) • The previous NOP certifier provides trustworthy evidence of verification of the previous field history.
c	Fallow land	The inspector will assess the age of the fallow vegetation
d	Abandoned fruit orchards	If interrow vegetation and status of the orchard shows that the orchard has been abandoned for at least three years, this can be considered the same way as if it was "fallow" land.
e	General non-use of chemicals on the respective crop in the whole region	Detailed and profound knowledge of local farming practices is necessary for assessing this. There are less and less regions in the world, to which agrochemicals have not yet been introduced. CERES will normally grant retroactive recognition in the following cases:

		Crop	Country	Specification
		Coffee	Ethiopia	Smallholders below 10 ha only; pay attention to intercrops, as e.g. khat
		Coffee	Uganda	Paidha and some other regions only
		Coconuts	Philippines	Only when not intercropped with vegetables, maize or similar
		Old fruit orchards	Europe	<p>This refers mainly to apple, pear and quince orchards with large trees older than 10 years, old varieties, where agricultural management is limited to mowing the grass in interrows (German: "Streuobst").</p>  <p>Other species, such as plums or cherries, are normally not eligible for such retroactive recognition</p>

		Crop	Country	Specification
				<p>because use of insecticides and fungicides is very common on such crops, even on large and old trees.</p> <p>If the same farmers having "Streuobst" apple, pear or quince orchards also own commercial fruit plantations and have high pressure sprayers appropriate for spraying large trees, then also retroactive recognition for these orchards may become difficult.</p>
5.6	Retroactive recognition of new fields belonging to already certified farms	The same from above applies		
5.7	Perennials planted after beginning the conversion period under EU-regulation and JAS	<p>We understand that conversion period for perennials is longer than for annuals, because the plants themselves might potentially be polluted with chemicals. This is not the case for perennials, which are planted after starting the conversion period, especially if organic planting stock is used. For this reason, in these situations, CERES will handle the conversion period for perennials similar to that for annual crops: 24 months, plus a medium growth period of 4 months, i.e. a total of 28 months until harvest (instead of 36 months).</p>		
6	Related documents	<p>3.2.1 Brief information on crop production (Inf)</p> <p>4.2.3.1.1 Retroactive recognition of land management (WI)</p> <p>4.3.1 Organic management plan for crop production (F)</p> <p>4.3.1.8 Field history declaration (F)</p> <p>4.5.1.3 Proof for previous management (T)</p>		

* **Note:** For the time being, products in third countries outside the European Union can be certified only as "equivalent to", not as "compliant with" Reg. (EC) 834/07. For further details, please see the CERES Policy on Third Country Certification.