



Annexes to AGRECO-QMM - Process 13
AGRECO SANCTIONS REGIME /
CATALOGUE OF MEASURES AS 1/25
VALID FROM 1 JANUARY 2025

AGRECO
R.F.GÖDERZ GmbH
INSPECTION AND
CERTIFICATION BODY

- for AGRECO's activities within the scope of the AGRECO STANDARD (AS)¹⁾ in the legally regulated area as well as on a private-law audit basis, insofar as applicable and legally permissible, in the respective valid version, for companies within the European Union (EU) as well as outside the EU in so-called third countries²⁾; in accordance with the contractual basis between the company and AGRECO

A. PROCEDURAL PRINCIPLES OF THE AGRECO SANCTIONS REGULATIONS

1. LEGAL BASIS / SUBSIDIARITY

This Sanction Regime applies on the basis of the contractual relationship under private law between the company and AGRECO for the implementation of the inspection and certification procedure in compliance with the EU legislation on organic production and labelling of organic products (hereinafter referred to as "EU organic legislation / organic production / organic products"): EU organic legislation / organic production / organic products): EU organic legislation / organic production / organic products). This is done in fulfilment of the requirements of Art. 40 (1)a) iii) in conjunction with Art. 41 (4), VO. Art. 41 (4), Regulation (EU) 2018/848 and Art. 22, in particular Art. 22 (3) and 23, Regulation (EU) 2021/1698, according to which a control body must have a catalogue of measures in the event of non-compliance. Annex I, Regulation (EU) 2021/279 for activities in the EU and Annex IV, Regulation (EU) 2021/1698 for activities in third countries serve as a framework for this AGRECO catalogue of measures.

The basis for assessment according to this sanctions regime is the EU legislation on organic production and labelling of organic products, in their current versions. The form and content are based on the aforementioned catalogues of measures and, if available, in conjunction with a national catalogue of measures of the respective country in which the operator is based.

Relevant statutory provisions or responsibilities of competent authorities in countries where operators are based or at locations of activity in the control procedure remain unaffected. These take precedence and are the responsibility of the operator and the competent authority.

For companies in the organic control procedure worldwide, the EU organic legislation shall apply directly as the overriding legal standards for a certification decision, as well as any relevant laws and regulations enacted in national legislation in the respective country of domicile and any applicable catalogues of measures³⁾.

For companies based in countries in which AGRECO acts as an appointed inspection body, the national regulations applicable there on a statutory basis shall apply in addition and with priority, whereby in all these cases the assessment and categorisation of a matter is always initially carried out using the AGRECO Sanction Regime, but the measure is based on the applicable country-specific regulation.

This sanctions regime is applicable both in the legally regulated area and in the nationally regulated area or in areas of private law that are not regulated by law. In these cases, the sanction categories are to be applied equivalently or analogously.

2. DEFINITIONS

In AGRECO terminology, any non-conformity with a requirement from an inspection norm is referred to as a non-compliance. This is equivalent to the term "infringement" introduced under EU organic legislation in accordance with Regulation (EU) 2018/848, Regulation (EU) 2021/279 and Regulation (EU) 2021/1698 in the German version as a term for "nonconformity" (English version: "non compliance" / Romanian version: "neconformitate"). "Infringement" in the AGRECO sanction regime is therefore to be understood as synonymous with "deviation"/"non-compliance", "non-conformity" (N/K = N/C), "non-compliance (N/C)", "neconformitate" (N/C).

In the following, the term "operator" refers to the "entrepreneur" as an individual or legal entity as well as the "group of operators" as an association of individual companies within the meaning of Art. 36, Regulation (EU) 2018/848

3. ASSESSMENT AND DOCUMENTATION PRINCIPLE

In the course of the assessment, AGRECO shall make an assessment decision regarding compliance with the requirements of EU organic legislation based on the results of the inspection activities, the inspection visits and any analysis results. Each violation of a requirement from an agreed inspection norm must be recorded as a non-compliance in a non-compliance report. The respective assessment is carried out using the principles of these sanction regime. Depending on the severity of the non-compliances, measures are imposed in accordance with the AGRECO sanction regime and the catalogue of measures. The results are documented in an assessment letter and communicated to the operator concerned.

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4. PRINCIPLE OF PROPORTIONALITY

The categorisation of a situation and the determination of a measure must be based on an assessment of the individual case and, in particular, the cause, severity, significance, scope and business volume of the process (proportionality). In accordance with EU organic legislation, deviations/non-compliances are categorised as I: "Minor", II: "Significant" or III: "Critical". AGRECO also has a category IV for open measures in pending cases.

In the event of a deviation/non-compliances, the corrective measure must be determined in accordance with the applicable sanction category and the specific measure to be taken in this AGRECO catalogue of measures, whereby measures M1 to M3 and M7 are generally applicable, but measures M4 - M6 and M8 are subject to the special conditions of application specified therein.

5. APPLICATION CLAUSE

The AGRECO sanction regime in force at the time the non-compliance occurred shall apply to the assessment of a non-compliance.

6. ASSESSMENT / CERTIFICATION DECISION / "4-EYES PRINCIPLE"

The assessment and certification decision regarding conformity with EU organic legislation is made in a review process that is independent of the inspection, in compliance with the dual control principle, in accordance with the procedure laid down in the AGRECO Quality Management Manual. AGRECO informs the operator of the decision made by means of an assessment letter.

7. SUBJECT TO REVIEW AND CORRECTION

AGRECO's control body management is obliged to ensure that these AGRECO sanction regime is applied uniformly to all operators. It reserves the right to review and, if necessary, correct decisions on sanction measures taken by AGRECO within the certification process. Any other statutory provisions remain unaffected by this.

8. RIGHT OF OBJECTION

An appeal against a decision by AGRECO in the certification procedure may be lodged by the operator concerned within one month of notification of the decision.

9. UPDATE CLAUSE

All previous AGRECO Sanction Regimes shall be replaced by this AGRECO Sanction regime from the date of entry into force. At the level of individual contracts between the operator and AGRECO, the deadlines of the applicable General Terms and Conditions of Contract shall apply for the operator-specific entry into force.

10. COUNTRY CLAUSE / DOUBLE SANCTION EXCLUSION

For companies based in countries with their own, different or more extensive state or national regulations or in countries in which AGRECO is entrusted with the task of implementing EU organic legislation, the regulations applicable there on a statutory basis shall take precedence in the event of a corresponding situation. In this context, any administrative procedures and provisions under national law, in particular the sanctions and administrative non-compliances provided for as well as the provisions on fines and the responsibilities provided for by law, if applicable under the technical and legal supervision of a competent authority, shall be taken into account accordingly. Any double sanctioning of the same facts must be ruled out in consultation with the competent authority. Corresponding procedures must be submitted to the competent authority. For the companies concerned, the national or state regulations form part of these AGRECO Sanctions Regime.

B. CATALOGUE OF MEASURES

The AGRECO CATALOGUE OF MEASURES consists of three categories of non-compliance with EU organic legislation (hereinafter: "EU Organic Regulation"), which are to be considered as deviations/non-compliances and shall be subject to appropriate sanctioning measures on a case-by-case basis according to the following order:

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1. CATEGORIES OF SANCTIONS for non-compliance with EU Organic Regulation

| N° | SANCTION CATEGORY | TYPE OF NON-COMPLIANCE |
|-----|--|--|
| | | according to Annex I (1), Regulation 2021/279 or Annex IV Parts A and B Regulation 2021/1698: |
| I | <p style="text-align: center;">Minor Non-compliance</p> <p>(EN: minor / RO: minora)</p> <p>Measure no: M1 M2 M3</p> | <p>The non-compliance is minor if:</p> <ul style="list-style-type: none"> - the preventive measures are appropriate and reasonable and the checks provided for by the operator are effective; - the derogation does not affect the integrity of the organic or in-conversion product; - the product(s) concerned can be located in the supply chain through the traceability system and the placing on the market of the products can be prohibited with reference to organic production. <p>⇒ The facts of the case fall below the sanction categories II / III. ⇒ for details see AGRECO catalogue of measures M1-M3</p> |
| | <p style="text-align: center;">Significant Non-compliance</p> <p>EN: major / RO: majora)</p> <p>Measures-N°: M4</p> | <p>The non-compliance is significant if:</p> <ul style="list-style-type: none"> - the preventive measures are not proportionate and appropriate and the checks provided for by the operator are not effective; - the non-compliance affects the integrity of the organic or in-conversion product; - the operator has not rectified a minor non-compliance within a reasonable period of time; - the product(s) concerned can be located in the supply chain through the traceability system and the placing on the market of the products can be prohibited with reference to organic production; also in accordance with Annex IV Part B VO 2021/1698: - there is a significant, implausible non-compliance between the incoming and outgoing quantities in the mass balance calculation. <p>⇒ Facts of the case at least within the meaning of Art. 42 (1) Regulation 2018/848 or Art. 23(1) Regulation 2021/1698. ⇒ for details see AGRECO catalogue of measures M4</p> |
| III | <p style="text-align: center;">Critical Non-compliance</p> <p>(EN: critical / RO: grava)</p> <p>Measures-N°: M5 M6</p> | <p>The non-compliance is critical if:</p> <ul style="list-style-type: none"> - the preventive measures are not proportionate and appropriate and the checks provided for by the operator are not effective; - the non-compliance affects the integrity of the organic or in-conversion product; - the operator fails to rectify previous significant non-conformities or repeatedly fails to rectify other categories of non-conformities - the product(s) concerned cannot be located in the supply chain through the traceability system and the placing on the market of the products cannot be prohibited with reference to organic production. also in accordance with Annex IV Part B VO 2021/1698: - Records and financial books to prove compliance with Regulation (EU) 2018/848 are missing; - records are incomplete due to wilful omission of information; - documents relating to the certification of organic products were falsified; - downgraded products were deliberately relabelled as organic/ecological; - organic products were intentionally mixed with in-conversion products or non-organic products; - substances or products that are not authorised within the scope of Regulation (EU) 2018/848 have been used intentionally; - Genetically modified organisms were intentionally used; - the operator refuses to grant the inspection body access to business premises, accounting documents including financial books; - the operator refuses to allow the inspection body to take samples. <p>⇒ Facts of the case according to Art. 42(2) or (1) VO2018/848 or Art. 23(4) VO2021/1698. ⇒ for details see AGRECO catalogue of measures M5 / M6</p> |
| IV | <p style="text-align: center;">Pending decision</p> <p>(EN: pending / RO încă nestabilită)</p> <p>Measures-N°: M7 M8</p> | <p>Assessment of the facts with regard to non-conformity still open,</p> <p>⇒ for details see AGRECO catalogue of measures M7 / M8</p> |

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2. Concrete facts of non-conformities with the EU Organic Regulation

The assignment of a sanction/non-compliance results from the cataloguing within the framework of the reporting system and according to the current specifications of the respective competent authority.

3. AGRECO CATALOGUE OF MEASURES / SANCTIONS

This catalogue of measures is based on Annex I (1), Regulation 2021/279 and Annex IV Parts A and B of Regulation 2021/1698. Depending on the category and taking into account each individual case, only one of the following measures may be taken in each case. In addition, points 1 and 10 of Part A of these sanction regime apply to subsidiarity and the exclusion of double sanctions. The following list of sanction measures (S/M) is **not exhaustive**. Specific appropriate measures adapted to the individual case may be imposed at any time. The implementation of measures in accordance with Art. 138 of Regulation (EU) 2017/625 is the responsibility of the competent authority under national law and may be carried out additionally. In third countries, in the absence of a competent authority, AGRECO will coordinate the choice of measures with the EU Commission.

| SANCTION CATEGORY I | | Minor |
|----------------------|--|---|
| N° 4) | MEASURE | NON-COMPLIANCE (INFRINGEMENT/NONCONFORMITY) AND SANCTION/MEASURE (S/M) |
| M1 | Obligation | In the case of minor non-compliances from the provisions of the EU Organic Regulation, without compromising the integrity of the organic/in-conversion product with assured traceability, in particular in the case of first-time non-conformity in subordinate points and to a minor extent. S/M: Timely submission of an action plan by the operator to remedy the non-conformity, to improve preventive measures and self-monitoring by the operator (e.g. written notification, increased recording and reporting requirements, etc.), if necessary and appropriate in conjunction with a measure from a higher sanction level (e.g. specification of a new conversion period, restriction of the scope of certification, etc.). |
| M2 | Warning | In the event of non-compliance with a requirement, failure to draw up or implement an action plan and/or gross non-compliance from the EU Organic Regulation, with a risk of compromising the integrity of the organic/conversion product, with assured traceability. S/M: Warning under sanction law to emphasise the particular significance of the non-compliance, especially if the next measure threatens to be M4/M5 or M8, possibly in conjunction with a chargeable follow-up inspection, if necessary and appropriate in conjunction with a measure from a higher sanction level (e.g. specification of a new conversion period, restriction of the scope of the certification, etc.). |
| M3 | Follow-up inspection | If necessary and in the event of failure of previous measures, repeated non-fulfilment of requirements, action plans, initial delays in the fulfilment of the compliance regime or in the event of violations of the provisions of the EU Organic Regulation with a risk of impairing the integrity of the organic/in-conversion product. S/M: Follow-up inspection, if necessary in conjunction with M1/M2 to check the fulfilment of imposed sanctions, to assess the implementation of an action plan, etc.. |
| SANCTION CATEGORY II | | Major |
| M4 | Omission or removal of the organic/conversion reference (B2) pursuant to Art. 42 (B4) (1), (B5) VO (EU) 2018/848 or Art. 23 (1) VO (EU) 2021/1698 | In the event of a significant breach of the EU Organic Regulation, pursuant to Art. 42 (1) Regulation 2018/848, which affects the integrity of the organic/conversion status of land, agricultural and animal production (crops/animals) or the products and goods of an operator, and/or in the event of a significant, implausible discrepancy between incoming and outgoing quantities in the mass balance calculation, with secured traceability. S/M: Ensuring the omission or removal of the reference to organic farming or conversion from the entire area affected by the non-compliance or from crops, animals or products and goods. Refusal of certification of the affected areas, animals or products and goods as well as revocation and, if necessary, reclaiming of the relevant batch certificate; if necessary, specification of a new conversion period and improvement of preventive measures and self-monitoring. In addition, depending on the severity, market significance and scope, restriction of the scope of the certificate or attestation for a certain period of time. NOTE: The control body is to decide on this measure, insofar as it is responsible, before it is issued, in accordance with the dual control principle and while maintaining proportionality. Insofar as relevant, the application of measures pursuant to Art. 138 of Regulation (EU) 2017/625 is to be coordinated or submitted to the competent authority. |

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| SANCTION CATEGORY III | | Critical |
|---|--|---|
| M5 (B1) (B2) (B4) (B5) (B6) | Restriction/suspension of the certification of the operator concerned for a certain period of time, pursuant to Art. 42 (2) VO (EU) 2018/848 or Art. 23 (4) VO (EU) 2021/1698 | <p>In the event of a critical non-compliance of the EU Organic Regulation, pursuant to Art. 42 (2) VO2018/848 or 23 (4) VO2021/1698, which affects the integrity of the organic/conversion status of land, agricultural and animal production (crops/animals) or the products and goods of an operator, where the preventive measures were not proportionate and appropriate and the operator's own controls were not effective and/or where the product concerned cannot be traced in the supply chain or where one of the other facts listed under category III has been established:</p> <p>S/M: Ensuring the omission or removal of the reference to organic farming or conversion from the entire area affected by the offence or from crops, animals or products and goods. Refusal of certification of affected areas, animals or products and goods as well as revocation and, if necessary, reclaiming of a relevant batch certificate; if necessary, specification of a new conversion period and improvement of preventive measures and self-monitoring. In addition, depending on the severity, market significance and scope, restriction of the scope or suspension of the certificate or attestation for a certain period of time.</p> <p>NOTE: Where responsible, the inspection body must decide on these measures before they are issued in accordance with the "dual control principle" or, additionally and depending on the provisions of national law, in cooperation with or solely by the competent authority. Where relevant, the application of measures pursuant to Art. 138 of Regulation (EU) 2017/625 is coordinated or submitted to the competent authority.</p> |
| M6 (B3) (B7) | Withdrawal of certification / ban on organic marketing for the operator concerned for a certain period of time, pursuant to Art. 42 (2) VO (EU) 2018/848 or Art. 23 (4) VO (EU) 2021/1698 | <p>In the event that a serious, critical, repeated and/or persistent non-compliance pursuant to Art. 42 (2) VO2018/848 or 23 (4) VO2021/1698, which affects the integrity of the organic/conversion status of land, agricultural and animal production (crops/animals) or the products and goods of an operator, where the preventive measures were not proportionate and appropriate and the operator's own controls were not effective, where the operator has not rectified previous significant non-compliances or has repeatedly failed to rectify other categories of non-compliances and/or where the product concerned cannot be traced in the supply chain, or where one of the other facts listed under category III has been identified, is assessed on the basis of severity, market significance and scope:</p> <p>S/M: Withdrawal of the certificate or attestation in accordance with the EU Organic Regulation for a period to be determined in each individual case and ensuring the omission and/or removal of the reference to organic farming or conversion from the entire area affected by the non-compliance or from crops, animals or products and goods of the operator concerned. If necessary, also refusal of certification of the affected areas, animals or products and goods and, if applicable, cancellation and, if necessary, reclaiming of previously issued operating certificates and/or relevant batch certificates.</p> <p>Consequently: The company is prohibited from marketing products with indications referring to organic farming for a period of time to be determined and agreed upon with the competent authority in each individual case, or in the absence of a competent authority, at AGRECO's reasonable discretion. The affected company loses the right to label and market products with indications referring to organic farming for this period of time.</p> <ul style="list-style-type: none"> - Rejection of the operator certification or - Withdrawal, revocation, reclaiming of the certificate or attestation in accordance with the EU Organic Regulation. - Termination of the contractual relationship without notice by AGRECO, if applicable - If necessary, examination of civil and criminal proceedings (complaint) by AGRECO against the operator - If necessary, submit the case to the competent state authority and, if applicable, other competent authorities for further prosecution. <p>NOTE: The control body is deciding on the entire measure, insofar as it is responsible, before it is issued, in accordance with the "dual control principle" or, in addition and depending on the legal regulations of the state, in collaboration with or solely by the competent authority. Where relevant, the application of measures pursuant to Art. 138 of Regulation (EU) 2017/625 is coordinated or submitted to the competent authority.</p> |

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| SANCTION CATEGORY IV | | PENDING | OPEN MEASURE |
|---------------------------|---|--|--------------|
| M7 (B8) (B9) | Pending assessment/ decision | <p>Facts of the case and measures that could not be conclusively decided upon in the course of the assessment.</p> <p>S/M: Classification in status: "still open" and further clarification.</p> <p>In cases where category II and III sanctions are to be expected, the certification decision must also be kept open until final clarification of the sanction measures.</p> | |
| M8-1 (B8) | Provisional utilisation and Marketing block as Organic or in-conversion product <u>by the operator</u> pursuant to Art. 27, 28(2) Regulation (EU) 2018/848 | <p>Intervenes in the following situations with the following MEASURES:</p> <p>"Art. 27 suspicion" (by operator): "non-authorized organic reference"</p> <p><i>'Subject to Article 28(2), where an operator suspects that a product which he has produced, prepared, imported or received from another operator does not comply with this Regulation, he shall proceed as follows:</i></p> <p><i>a) He identifies and isolates the product in question;</i></p> <p><i>b) it checks whether the suspicion is justified;</i></p> <p><i>(c) he does not place the product concerned on the market as an organic or in-conversion product and does not use it in organic production until the suspicion can be eliminated;</i></p> <p><i>(d) where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the competent authority concerned or, where appropriate, the control authority or control body concerned and, where relevant, provide them with the available information;</i></p> <p><i>(e) cooperate fully with the relevant competent authority or, where appropriate, the relevant control authority or control body in verifying and establishing the reasons for the suspected inon-compliance."</i> (Quote: Art. 27 Regulation 2018/848).</p> <p>and</p> <p>"Art. 28 (2) suspicion" (by operator): "non-authorized substances"</p> <p><i>2. Where an operator suspects that, due to the presence of a product or substance not authorized for use in organic production in accordance with the first subparagraph of Article 9(3) in a product intended to be used or marketed as an organic or in-conversion product, that product does not comply with this Regulation, he shall proceed as follows:</i></p> <p><i>a) He identifies and separates the product in question;</i></p> <p><i>b) it checks whether the suspicion can be substantiated;</i></p> <p><i>(c) he does not place the product concerned on the market as an organic or in-conversion product and does not use it in organic production unless the suspicion can be eliminated;</i></p> <p><i>(d) where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the competent authority concerned or, where appropriate, the control authority or control body concerned and, where relevant, provide them with the available information;</i></p> <p><i>(e) cooperate fully with the competent authority concerned or, where appropriate, the control authority or control body concerned in identifying and verifying the reasons for the presence of non-authorized products and substances."</i> (Quote: Art. 28 (2) Regulation (EU) 2018/848).</p> | |
| M8-2 (B8) | Official investigation and Provisional ban on use and marketing as Organic or product <u>by the responsible body or AGRECO</u> | <p>Intervenes in the following situations with the following MEASURES:</p> <p>"Art. 29 (1) - Suspicion": "Non-authorized substances"</p> <p><i>1. Where the competent authority or, where applicable, the control authority or control body receives or is informed by an operator in accordance with Article 28(2)(d) of the presence of products or substances which are not authorized for use in organic production in accordance with the first subparagraph of Article 9(3), or where it detects such products or substances in an organic or in-conversion product,</i></p> <p><i>(a) immediately carry out an official investigation in accordance with Regulation (EU) 2017/625 to determine the sources and the cause in order to verify compliance with the first subparagraph of Article 9(3) and Article 28(1); that investigation shall be completed as soon as possible within a reasonable period of time, taking into account the durability of the product and the complexity of the case,</i></p> | |

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| M8-2 (B8) | <p>Continued:</p> <p>Official investigation and Provisional ban on use and marketing as Organic or in-conversion product</p> <p><u>by the responsible body or AGRECO</u></p> <p>pursuant to Art. 29 (1) b) or 41(1) VO (EU) 2018/848</p> <p>or Art. 22 (1) a) and b) VO (EU) 2021/1698</p> <p>END</p> | <p>Intervenes in the following situations with the following MEASURES:</p> <p>Continuation: "Art. 29 (1) - Suspicion": "Non-authorized substances <i>(b) provisionally prohibit both the placing on the market of the products concerned as organic or in-conversion products and their use in organic production pending the results of the examination referred to in point (a).</i>" (Quote: Art. 29(1) b) Regulation (EU) 2018/848).</p> <p>"Art. 41 (1) Suspicion": "Unauthorised Organic-reference" <i>(1. Subject to Article 29, Subject to Article 29, where a competent authority, or, where appropriate, a control authority or control body, suspects or receives substantiated information, including information from other competent authorities, or, where appropriate, from other control authorities or control bodies, 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 where such competent authority, control authority or control body has been informed by an operator of a suspicion of non-compliance in accordance with Article 27:</i> <i>(a) it shall immediately carry out an official investigation in accordance with Regulation (EU) 2017/625 with a view to verifying compliance with this Regulation; 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;</i> <i>(b) it shall provisionally prohibit both the placing on the market of the products concerned as organic or in-conversion products and their use in organic production pending the results of the examination referred to in point (a). Before taking such a decision, the competent authority or, where appropriate, the control authority or control body shall give the operator the opportunity to comment."</i> (Quote: Art. 41 (1) Regulation (EU) 2018/848)</p> <p>"Art. 22 (1) suspicion": "Doubtful third country goods" <i>1. In addition to the measures referred to in Article 29(1), (2) and (3) of Regulation (EU) 2018/848 and Article 2 of Implementing Regulation (EU) 2021/279, where a control authority or control body suspects or receives substantiated information, including information from other control authorities or control bodies, that a product, which may not be in compliance with Regulation (EU) 2018/848, is intended to be imported from a third country for the purpose of placing that product on the market within the Union, but which bears terms referring to the organic production, or where such a control authority or control body has been informed by an operator of a suspicion of non-compliance in accordance with Article 27 of that Regulation:</i> <i>(a) it shall immediately carry out an investigation with a view to verifying compliance with Regulation (EU) 2018/848 or with the delegated or implementing acts adopted pursuant to that Regulation; 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;</i> <i>(b) it shall prohibit the import from that third country for the purpose of placing the product concerned on the market in the Union as an organic or in-conversion product, pending the results of the investigation referred to in point (a). Before taking such a provisional decision, the control authority or control body, shall give the operator or group of operators an opportunity to comment."</i> (Quote: Art. 22 (1) a) and b) Regulation (EU) 2021/1698).</p> <p>" Suspected lack of certificates/attestations": In the event of substantiated suspicion that organic products are being marketed without or prior to the issuance of a certificate or attestation in accordance with the EU Organic Regulation, AGRECO will consider imposing a temporary ban on the use and marketing of the products as organic or in-conversion products, or refer the matter to a competent authority..</p> <p>NOTE: Before taking one of the above-mentioned M8-2 measures, AGRECO shall clarify its jurisdiction under national law at the operator's registered office. If responsible, the inspection body must decide on this measure before it is issued in accordance with the "dual control principle". If AGRECO is not responsible, the case must be passed on to the competent state authority for further prosecution.</p> |
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1) AGRECO Standard (AS): EU legislation for organic production and labelling, or private-law inspection principles; in the respective applicable version 2) Worldwide validity. In third countries without national organic legislation or a competent authority, responsibility lies with AGRECO in consultation with the EU Commission. Reporting in accordance with the applicable procedural requirements. 3) National legislation in AGRECO's respective country of operation, all as amended; 4) M classification according to AGRECO-S/O, B classification according to Regulation 2021/1935.

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