

Regulation (EU) 2018/848 of the European Parliament and of the
Council of 30 May 2018 on organic production and labelling of
organic products and repealing Council Regulation (EC) No 834/2007

CHAPTER III

PRODUCTION RULES

Article 28

**Precautionary measures to avoid the presence
of non-authorised products and substances**

1 In order to avoid contamination with products or substances that are not authorised in accordance with the first subparagraph of Article 9(3) for use in organic production, operators shall take the following precautionary measures at every stage of production, preparation and distribution:

- a put in place and maintain measures that are proportionate and appropriate to identify the risks of contamination of organic production and products with non-authorised products or substances, including systematic identification of critical procedural steps;
- b put in place and maintain measures that are proportionate and appropriate to avoid risks of contamination of organic production and products with non-authorised products or substances;
- c regularly review and adjust such measures; and
- d comply with other relevant requirements of this Regulation that ensure the separation of organic, in-conversion and non-organic products.

2 Where an operator suspects, due to the presence of a product or substance that is not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production in a product that is intended to be used or marketed as an organic or in-conversion product, that the latter product does not comply with this Regulation, the operator shall:

- a identify and separate the product concerned;
- b check whether the suspicion can be substantiated;
- c not place the product concerned on the market as an organic or in-conversion product and not use it in organic production unless the suspicion can be eliminated;
- d where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the relevant competent authority, or, where appropriate, the relevant control authority or control body, and provide it with available elements, where appropriate;
- e fully cooperate with the relevant competent authority, or, where appropriate, with the relevant control authority or control body, in identifying and verifying the reasons for the presence of non-authorised products or substances.

3 The Commission may adopt implementing acts laying down uniform rules to specify:

- a the procedural steps to be followed by operators in accordance with points (a) to (e) of paragraph 2 and the relevant documents to be provided by them;

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Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, Article 28. (See end of Document for details)

- b the proportionate and appropriate measures to be adopted and reviewed by operators to identify and avoid risks of contamination in accordance with points (a), (b) and (c) of paragraph 1.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 55(2).

Status:

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Changes to legislation:

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