

*This Guide Document consists of 2 Parts. Part I has been prepared on the basis of the authorization received according to the Regulations (EC) 834/2007 and (EC) 889/2008 of the European Union Commission. Part II has been prepared in accordance with the requirements of the new basic Regulation (EU) 2018/848 of the European Union Commission and the Supplementary and Implementing Regulations adopted according to this Regulation.*

## CHAPTER I

Başak Ekolojik Ürünler Kontrol ve Sertifikasyon Hizmetleri Tic. Limited Şirketi (hereinafter referred to as Başak Ekolojik), at every stage of the production chain, operates to control and certify that the products subject to recognition are produced in accordance with the European Union Regulation (EC) 834/2007 and its Implementing Regulation (EC) 889/2008 and the Organic Agriculture Law dated 01.12.2004 and numbered 5262, and the Regulation on the Principles and Implementation of Organic Agriculture dated 18.08.2010 and numbered 27676.

### 1. AUTHORIZED SCOPE

Scope of control and certification to be carried out in accordance with **Turkish Organic Agriculture Regulation;**

Organic Plant Production,

Organic Animal Production,

Processing, Packaging, Labeling, Storing, Transport and Marketing of Organic Products

Scope of control and certification to be carried out in accordance with **EU Organic Production Regulation;**

A: Unprocessed Plant Products

D: Agricultural Products Processed for Use as Food

### 2. APPLICATION PROCESS

#### Evaluation of the Application

The information in the **F-P01.01 Application Form**, which shall be obtained from the Başak Ekolojik office or the website ([www.basakekoloji.com.tr](http://www.basakekoloji.com.tr)), and the documents requested in its annex are evaluated by the Başak Ekolojik General Manager. If the applicant has been previously certified by another control body; together with the application, the information and documents of the previous certification should be submitted to Başak Ekolojik.

If the operator has a remote control request, 'Remote Control Application Form' must also be submitted. In order to determine the existence of suitable conditions for remote control, in the 'Remote Control Application Form'; A risk assessment is made in terms of environment, human and animal health and if the conditions are met, remote control preparations are started.

#### Submitting and Signing a Price Offer

In line with the scope request of the operator according to TR and EU Regulations **and Standart of Great Britain**, a pricing is made regarding the frequency, duration and certification of the controls required for the requested certificate scope, taking into account criteria such as; whether it is an individual or a group of operator, the number of members in the group, production area(s) and sizes subject to certification, type and quantity of crops grown or processed, own or

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contracted subunits, the area where the control will be carried out or the distance of the enterprise to Başak Ekolojik Office, **the request for the retroactive recognition of the pervious period**. The cost of the control and certification service is calculated within the framework of the **F-P01.04.01 Price Offer Form**, which is also published on our website, taking into account the information in the upper paragraph.

## Signing the Agreement

The operator who wants to engage in organic farming activities makes an agreement with Başak Ekolojik. The **S-P01.01 Organic Agriculture Control and Certification Service Agreement**, which has been prepared within the framework of legal regulations, is forwarded to the operator who has approved the offer. The operator signs the agreement within maximum 30 days after approving the offer and sends it back with a wet signed copy to be filed with Başak Ekolojik.

## 3. SUBMITTING PROFILE TO OPERATORS AND EVALUATION OF PROFILES

In addition to the information given in the application form and the documents attached to the application, the operator with whom the agreement is signed and the enterprising code is given, is requested to fill in the Operator Profile suitable for the field of activity, which will include a full description of the production units, in order to ensure that Başak Ekolojik can be fully prepared for the controls. Profiles that reach Başak Ekolojik are evaluated before the control takes place, and it is checked that all information regarding each stage of production is given completely and that the minimum mandatory attachments are submitted. If there is a deficiency in the profile, no control planning is made and the operator is notified to complete the profile and submit the minimum mandatory annexes.

## 4. OPERATOR'S RISK ASSESSMENT

With the help of the information obtained as a result of the application procedures and the evaluation of the operator's profiles, a risk assessment of the operator is carried out each year. Başak Ekolojik evaluates the product and the operator separately: The product is evaluated taking into account; processed product-unprocessed product, country of origin, GMO risk, intensive input usage risk, residue risk, the risky product according to the European Union additional control measures. Operator is evaluated taking into account; The scope of certification, the risk category of the products in the field of activity, the environmental risks of the production projects, the complex situations in the product and work flows, the amount of sales, the previous major non-compliance, the previous residue notifications and the necessity of additional control and sampling is decided.

## 5. CONTROL PROCESS

### Planning and Preparation

After the risk assessments of the operators specified in section 4 are made, control planning is made to cover the whole year. Estimated control start and end dates and number of control days are calculated. While making the plan, it is ensured that an inspector does not go to the same operator for 4 consecutive years. Considering the risk assessment, the number

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of producers to be actively controlled in a day is determined, as well as announced or unannounced controls. An inspector controls up to 4 individual operators in one day. In case of a group of operator, this number is limited to a maximum of 6.

## Performing the Inspection

Başak Ekolojik inspector carries out the inspection activity with the operator registered in the application and with whom the agreement is signed, or with the person to whom the operator gives official power of attorney.

In cases where the operator who is a member of the group of operator is not able to deal with the production activity, a maintenance agreement may be drawn up, in which case the inspection is carried out with the person with whom the maintenance agreement is made. During the inspection, the inspector will fill out the inspection report appropriate to the operator's activity. After the inspection, the inspector delivers a copy of the report to the operator with the signature of the inspector and the operator. Inspection report; includes inspection form, NC-Summary List of Non-Compliances, Basak Ekolojik Sanction Categories List and authorization with signature and approvals.

## Unannounced Inspection

Başak Ekolojik inspects all its operators at least once a year, and **permorms** at least 10% of the control visits unannounced, according to the results of the risk assessment specified in the 4th heading.

## Remote Inspection

According to the most up-to-date instruction of the Ministry on Control and Certification in Organic Agriculture Due to the New Coronavirus Disease (Covid-19), published in the official newspaper published by the Ministry dated 28.04.2020 and numbered 31112, and in accordance with the official notifications of the European Union Commission; when there is a situation that will prevent the on-site inspection due to earthquakes, floods and epidemics, remote inspections are carried out according to **T-P01.11 Başak Ekolojik Remote Inspection Instruction**, which is also published on our website.

## Surveillance/Follow-up Inspection

According to the risk assessment result of the operator, if there is a physical inspection requirement before issuing a control certificate-COI (Certificate of Inspection) or product(lot) certificate, or in case of significant non-compliances that are suspected or verified during the certification process, issuance of a certificate in order to ensure the integrity of organic products and meet the relevant Regulation. Prior to this, Başak Ekolojik performs a surveillance inspection to physically inspect the loading of the operator and verify the documents.

After an investigation carried out due to repetitive non-compliance, Başak Ekolojik may decide on a follow-up inspection, to check if the operator increases the frequency of controls within their quality assurance system, improves the procedures established to ensure the integrity of organic products, or corrects the labels of a product whose certificate has been de-certified, whether it has been removed from the storage of organic products.

## Sampling and Analysis

Taking into account the risk assessment specified under the heading No. 4, in cases where the detection of production techniques that do not comply with organic production rules or the use of unauthorized chemical substances is suspected,

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Başak Ekolojik takes sample(s) for analysis in accordance with the Sampling Procedure of Başak Ekolojik, which has been prepared based on the relevant legal regulations and constantly updated according to these regulations.

The annual number of samples taken according to TR and EU Regulation is at least 5% of the number of operators under the control of Başak Ekolojik. The information of the samples taken by Başak Ekolojik inspectors is recorded in the Sampling Form and a copy of the sampling form is delivered to the operator. Before the samples are sent to the laboratory for analysis, Başak Ekolojik contacts the operator and informs it about the subcontracted laboratories.

## Non-Compliances and Sanction Catalogs

### Non-Compliances

Başak Ekolojik evaluates practices that violate the principles of Organic Agriculture as non-compliance.

Sanction categories in summary according to Başak Ekolojik Sanctions Policy:

- Minor Non-Compliance (Certificate is issued): **Minor deficiencies in documents**, irregular keeping of **documents**.
- Significant Non-Compliance (Certificate is not issued): **Significant omissions in documentation or complete absence, the need for additional inspection to control that the significant non-compliance has been fulfilled, the requirement to suspend certification, lands or crops if corrective action is not taken within the specified time.**
- Majör Non-Compliance (Certificate is not issued): It is considered as practices contrary to the provisions of the Regulation at the stages of Production, Processing, Storage, Labeling and Marketing. **Failure to certify certain or all products, lots, lands, parcels, new conversion period, withdrawal of the certification.**

The operator may appeal to the non-compliances within 14 days at the latest. In this case, action is taken according to the [P-06 Appeal and Complaint Procedure](#) published on our website.

### Sanction Catalogs

Başak Ekolojik imposes sanctions on the operator at all stages of the certification process according to the Başak Ekolojik Sanctions Policy.

Başak Ekolojik has developed sanction catalogs containing all control points for each activity within its scope and uses uniform regulations.

## 6. CONVERSION PERIOD AND RETROACTIVE RECOGNITION OF THE PREVIOUS PERIOD

Conversion period: It refers to the period between the start of the activity in accordance with the provisions of the relevant regulation and the organic certification of the product. In conversion product: It is the product that is obtained twelve months after the start of organic farming in plant production, but cannot yet be labeled as "organic".

The operator may apply for the retroactive recognition of the previous period, with the Başak Ekolojik relevant document 'Application Form for the Retroactive Recognition of the previous period'. The previous period may be retroactively recognised depending on the results of the inspection and if there is satisfactory, realistic evidence that the organic farming requirements have been met within a given period of time. On-site inspection of fallow lands or unused lands must have been done by Başak Ekolojik before the land is cultivated.

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## 7. TAKING A PROJECT FROM OTHER CONTROL BODIES

Operators who have previously been inspected and certified by another control body; At the stage of their application to Başak Ekolojik; group member lists, inspection report, operator/master certificate, certification decision, last non-compliance notifications (open and closed), analysis reports etc. reported by the previous **control** body, dated organic product stock records, proof of fulfillment of corrective actions and other necessary information and documents should be submitted.

In plant production group of operator projects, unlike; before the takeover process starts, group members who want to change the control **body** must apply to the control **body** they want to leave with a petition and proof that this petition is within the knowledge of the relevant operator. The operator who changes the control **body**, immediately informs the relevant control **bodies** and agrees in writing that information can be shared. During the evaluation of application, Başak Ekolojik will formally contact the previous control **body** and request the information specified in the first paragraph and other necessary information.

## 8. CERTIFICATION PROCESS

Certification is the evaluation and documentation of the stage of the operator and the product as a result of the implementation of all control methods. Evaluation of the certifier starts after the inspection file (inspection report and annexes) is delivered to the certifier.

According to Başak Ekolojik related procedures, Certifier examines the inspection file within 30 days and completes the certification process within 45 days. Depending on the operator's inspection results and evaluation process conditions, this period may be extended. With the Certification Decision Notification, the certifier informs the operator of the decision taken in the certification.

In case the operator fulfills the conditions according to the relevant standards and procedures of Başak Ekolojik in accordance with the relevant Regulation, the certifier issues a certificate to the operator as a result of the annual inspection and certification. Only Başak Ekolojik certifier issues and signs the operator's certificate.

An operator certificate that expresses the compliance of the inspected activity with the Turkish Organic Agriculture Regulation is the Organic Agriculture Operator Certificate and also includes the information in the Turkish Regulation Annex-11. It is prepared in Turkish language. Certificate information is entered into the TBS (Turkish Agriculture Information system) within 45 days at the latest.

Documentary proof model 'Master Certificate', which expresses the compliance of the inspected activity according to EU Regulation (EC) No 834/2007 and (EC) No 889/2008, is issued in English.

The date when the certifier completes the evaluation and makes the certificate decision is the "Issuance Date" of the certificate. The expiry date of the certificate is 12 months after the issue date. The period elapsed 12 months after the issuance date is the "Certificate Validity Period". (The validity period of the certificates issued as a result of remote

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inspection is maximum six months from the date of issue. In case of an on-site inspection within the validity period of the certificate, the validity period of the certificate may be extended up to twelve months from the date of its first issue).

Operators for whom certificates are issued, are published in the Başak Ekolojik Updated Operator list on our website.

## Product Certification

For TR Organic Agriculture Regulation, Product(lot) Certificate and Wholesale Product Certificate are issued in Turkish language, for EU Organic Production Regulation, Transaction Certificate for non-EU recipients and Certificate of Inspection-COI (Control Certificate) for EU member recipients are issued in English. Product(lot) certificates are not issued to farmers who are members of the group of operator. Product(lot) certificate is issued to the group of operator. In the certificate, the codes of the group member are written as the source. The operator applies for a product(lot) certificate to Başak Ekolojik Certification Unit with the COI-TC-Product Certificate Request Form and the documents requested in its annex. The product(lot) certificate is sent to the operator via cargo/e-mail and the Product(lot) Certificate information issued in accordance with the TR Regulation is entered into the TBS(Turkish Agriculture Information system) system.

## 9. SUSPENSION OF THE CERTIFICATION

Suspension of certification is carried out in accordance with the [P-07 Procedure for the Termination, Reduction, Suspension and Withdrawal of Certification](#) which is also published on our website.

Suspension of certification is an interim measure applied prior to withdrawal. The operator's suspension period cannot exceed 6 months. The certifier will notify the operator in writing about the suspension of certification by means of the [F-P07.01 Certification Suspension, Withdrawal, Rejection and De-certification Notification Form](#) (e.g. by e-mail or post). During the suspension period, the affected products cannot be marketed with the reference of organic certification and the relevant operator is indicated as 'suspended' in the Operator List, which is continuously updated on the website of Başak Ekolojik.

## 10. TERMINATION AND WITHDRAWAL OF CERTIFICATION, REJECTION

Following the start of the Certification Suspension process, if the operator does not work on the reasons for the suspension, non-compliances, repetitions and the operator is involved in illegal activities, within the period specified in [P-07 Procedure for the Termination, Reduction, Suspension and Withdrawal of Certification](#), the Operator Certificate is withdrawn or rejected by notifying the operator with [F-P07.01 Suspension, Withdrawal, Rejection and De-certification Notification Form](#). Relevant operators remain listed in the [L-P09.08 Başak Ekolojik Sanctions and Termination List](#), which is constantly updated on the Başak Ekolojik website, for 3 years from the date of the first listing.

## 11. EXPANSION/REDUCTION OF THE SCOPE OF CERTIFICATION

The operator may request that the scope of certification be extended or reduced, however, in accordance with the Organic Agriculture Inspection and Certification Service Agreement; in case of a change in its certified products or processes, it is obliged to inform Başak Ekolojik with a new application form. Başak Ekolojik certifier evaluates the demand for scope expansion and reduction, updating and re-sending the relevant operator profile as appropriate, and if necessary

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(for example; a new technology will be used in the enterprise, a new warehouse, if the land is a new land, a new warehouse, making a deal with the intermediary trader etc.) requests inspection planning from the inspection unit and carries out its evaluation. With the Certificate Decision Notification, certifier lists the decision taken in the certification and the non-compliances, if any, and updates the operator's certificate, if appropriate.

## 12. USE OF CERTIFICATE AND LOGO

Issued certificates and the principles of using Organic Product, Başak Ekolojik, Accreditation Agency Logos are determined by the [T.P01.02 Instruction On The Use Of Certificate and Logo](#) published on our website. According to Turkish Regulation, the principles given in the Fifth Section and Annex 10 of the Regulation on the Principles and Implementation of Organic Agriculture are valid for the use of Certificates and Logos.

According to EU **Regulation**, the use of logo is carried out in accordance with [T-P01.03 Instruction On The Use Of EU Logo](#), which is also published on our website.

## 13. OTHER

### 13.1. Impartiality and Confidentiality

Başak Ekolojik undertakes that the results of its inspection and certification activities will be independent and impartial from commercial, financial and other pressures, that it will not engage in any activity that will create a conflict of interest when using the authority given by the relevant authorities (European Union) and Turkish Ministry of Agriculture and Forestry, and that it will not produce, supply, advertise and market the products it has certified, and will not provide consultancy services, and that all information generated during the certification activities will be managed within the scope of confidentiality principles.

Başak Ekolojik Management has declared that it will carry out its certification activities impartially and in compliance with the principle of confidentiality, and has taken a series of measures to ensure impartiality and confidentiality in its inspection and certification activities.

Başak Ekolojik is structured in a way that does not allow the violation of impartiality during the certification process; control and certification are formed as two separate units in the organization. In certification activities; those who perform the inspection service cannot work in the certification unit in the same scope. The Impartiality and Confidentiality Statement available on the Başak Ekolojik website discloses the impartiality of Başak Ekolojik to the public.

In applying to Başak Ekolojik, religion, language, race, membership of a certain group, political view, land size and distance, etc. matters are not taken into account. All applications are considered unless there is a legal obstacle or the producer is temporarily banned from certification.

Başak Ekolojik management cannot in any way demand or pressure the personnel to work against impartiality.

The personnel who are determined to have provided any consultancy services in the past two (2) years, or to have worked personally or to have direct responsibility of their first-degree relatives, cannot be assigned to the control and certification services of the relevant operator.

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Başak Ekolojik personnel cannot provide consultancy services under any name to all real and legal persons and sectors for which control and certification services are provided. In addition, internal audit service cannot be provided to clients for whom control and certification service is provided. All Başak Ekolojik personnel act in accordance with **T-P04.03 Code of Ethics**.

Material or bodily damages that third parties may suffer as a result of error, fault or negligence, within the framework of the legislation of the Republic of Turkey on legal responsibility and the General Conditions of Professional Liability Insurance, Article a.1 (b), the amount up to the limit specified on the policy renewed every year, provided per event.

Başak Ekolojik has established an independent impartiality protection committee in order to ensure and protect the impartiality of certification activities. The main task of the committee is to supervise the independent, objective and consistent performance of inspection and certification studies, in accordance with the principles of impartiality, and to make recommendations by reporting the results. All employees and impartiality committee members, including managers, sign a statement of impartiality and confidentiality **each year**.

### 13.2 Appeals and Complaints

**Appeal:** If the operator does not agree with the certification decision, the sanctions or the rejection of applications, the operator may appeal the decision.

**Complaint:** Complaints about Başak Ekolojik services, eg. non-response to certification-related correspondence or unprofessional behavior.

**P-06 Appeal and complaint procedure** and **F-P06.01 Appeal and Complaint Notification Form** are available on our website in an up-to-date form. Operators with appeals and complaints may fill in the relevant form and send it to Başak Ekolojik.

Başak Ekolojik; with the **F-P06.01 Appeal and Complaint Notification Form**, ensures that all stages until the conclusion of the appeal/complaint are recorded in a way that can be traced backwards.

Appeals/complaints are handled within five (5) business days and finalized within 15 days at the latest.

In case the operator has an appeal to the decisions made as a result of the appeals/complaints, the appeal and complaint committee is convened by Başak Ekolojik General Manager for the purpose of evaluating the relevant appeals and complaints.

In order to apply when necessary, competent courts in case of appeals are determined in the Organic Agriculture Inspection and Certification Service Agreement.

If the operator has an appeal to the Başak Ekolojik certification decision, the operator has the right to convey the relevant information and documents to the Organic Agriculture Committee within twenty-one (21) days at the latest, according to Turkish Organic Agriculture Regulation Article 41 (1)(g). The Ministry has the authority to examine the subject and request new documents. The Ministry examines the information and documents related to the appeal and complaint, makes the final decision and communicates the result to the parties.

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Başak Ekolojik notifies all appeals and complaints **to** Turkish accreditation agency accrediting Başak Ekolojik, in accordance with the standard to which it is subject.

### 13.3. Changes in Control and Certification System

All changes in TR and EU Organic agriculture **Regulations** are announced in the announcements section of Başak Ekolojik website, and written information is sent to operators via e-mail. The relevant information, link and/or document is specified on the web page and in the e-mail. It is the operator's responsibility to visit the Başak Ekolojik website, receive announcements, and follow up e-mails.

### 13.4. Obligations, Powers, Rights and Responsibilities of the Operator

- The inspected operator agrees to always fulfill the requirements of Turkish Organic Agriculture Regulation and/or the EU **Organic Production Regulations** during the validity of the agreement and to be inspected (including unannounced) by the authorized personnel of Başak Ekolojik.
- The operator must comply with the obligations arising from the Turkish Organic Agriculture Regulation and/or the EU **Organic Production Regulations** and the procedures published on the [www.basakekoloji.com.tr](http://www.basakekoloji.com.tr) page in order to receive the control and certification service requested. As a result of any change to be made in the legal regulations, the operator is obliged to take all necessary measures by complying with it. The operator accepts Başak Ekolojik to carry out additional control work due to the relevant changes. In the event that the provisions and criteria of the applicable Regulation are violated during the entire certification process, the operator accepts that no rights will arise from this agreement.
- The Operator is obliged to accept the relevant auditors (Basak Ekolojik Inspector, representatives of the Ministry and Accreditation Agency) in annual inspections, announced and unannounced and additional inspections.
- Operator will open all documents and records, areas (land, greenhouse, processing facility, living quarters, sanitary facilities, warehouses and hangars, etc.) related to certification (control and certification) belonging to itself and its subcontractor, if any, to the inspector and the relevant committee (Ministry and Accreditation Agency representatives) for inspection.
- Operator; during the inspection work, is responsible for ensuring the safety of the team related to the inspection work and its own officer. If there are rules to be followed, safety and hygiene measures to be taken in inspection studies, the inspection team is informed in advance. The special clothing and materials that are required to be used during the inspection are provided by the operator.
- The operator regularly keeps and maintains the records of the organic farming initiation, the conversion process practices and the operations performed during the cultivation, processing, packaging, labeling, storage, transportation, marketing and evaluation of the product. It is obliged to give this information to Başak Ekolojik during and outside of inspection when requested. The operator certificate is issued only for the areas included in the scope of Organic agriculture (land, greenhouse, livestock farming, processing plant, labeling, storage, marketing). The product(lot) certificate may only be used for certified products. In case of suspension of certification or **withdrawal**, the operator

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returns the operator certificate. The operator cannot make a statement outside the scope of certification. The operator cannot use product(lot) certification in a misleading way that will damage the reputation of Başak Ekolojik.

- The operator is obliged to comply with the principles of Processing, Packaging, Labeling, Storage, Transport and Marketing of Organic Products which is in the Second Part, Fifth Section of the Turkish Organic Agriculture Regulation, **European Union Organic Agriculture Regulations** (EC) No 834/2007 and (EC) 889/2008. The operator must obtain permission to use the certificate and Başak Ekolojik logo in his own advertising campaigns, correspondence and agreements. Labels to be used must be approved by Başak Ekolojik before use.
- In case the operator outsources some of its activities to a third party, it provides the necessary information and documents regarding these activities to Başak Ekolojik and ensures that it is included in the control system.
- Operator uses the Logo of the Product and Ministry within the framework of the relevant Regulation, and the Logo of the Accreditation Agency within the framework of the instructions of the relevant institution on this subject.
- The operator is responsible for recording the complaints received about its own activities and Başak Ekolojik, notifying Başak Ekolojik, taking the necessary measures to eliminate the non-compliance (carrying out corrective and preventive action) and is responsible for presenting them to Başak Ekolojik inspector during the inspection. The operator is always responsible for allowing Başak Ekolojik inspectors to inspect the operator, areas, accounting records, all necessary reports, receipts and documents, without limitation, and assisting the inspectors to reach the subcontractors.
- Changes that occur in relation to the activities of the operator, inspection and certification studies (in the address, official changes in the company, ownership, quality management system or personnel-manager, decision maker, technical personnel-changes, discontinuation of production or abandonment of the certification request, natural disaster, pharmaceuticals outside of its control and matters such as fertilizer use) will be reported to Başak Ekolojik. If it is decided to inspect on-site the changes that have occurred, the Operator agrees to the additional control.
- Başak Ekolojik may always carry out surveillance/follow-up and unannounced inspections and take samples at any time, in addition to the regular inspections. In such cases, access and inspection should be provided to the same extent as in a regular inspection.

## CHAPTER II

Main Regulation (EU)2018/848(basic act) of the European Parliament and of the Council on organic production and labelling of organic products, published on 30 May 2018 in preparation for the repeal of Council Regulation (EC)834/2007, entered into force as of 01 January 2022. Implementing and supplementary regulations of (EU)2018/848, were also published between 30 May 2018 and 30 December 2021 and entered into force as of 01 January 2022.

In accordance with Article 57 of the European Union's basic act (EU)2018/848; Basak Ekolojik, recognized as an equivalent control body by the European Union according to Article 33(3) of the Regulation (EC)834/2007, is authorized to carry out

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control and certification according to the Regulation (EC)834/2007 until **31 December 2024**. Recognition process of Başak Ekolojik continues for the new EU Regulation (EU)2018/848.

List of third countries recognized under Article 33(2) and (3) of Regulation (EC) 834/2007 for the purpose of importing organic products into the European Union, and list of control authorities and control bodies, In accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council, Implementing Regulation (EU) 2021/2325 was published in the Official Gazette L 465/8 dated 29 December 2021. With the new list published in the Regulation (EU) 2021/2325, Başak Ekolojik has been recognized in Turkey and Kyrgyzstan as well as in the United Arab Emirates under the scope of unprocessed organic plant products (A) and processed organic agricultural products (D).

Başak Ekolojik is authorized to carry out control and certification according to Regulation (EC)834/2007 until 31 December 2024 and, as of 01 January 2025 operators who continue to produce organic products (including those who do not export directly) according to Regulation (EC)834/2007, need to have a certificate under the new Regulation (EU) 2018/848. For this reason, operators or group of operators aiming to produce within the scope of EU Organic Agriculture **in the production season of 2024** are required to produce according to (EU)2018/848 and the supplementing and implementing regulations adopted according to this regulation and apply to the control body in this context.

For this reason, in addition to the related Regulation announcements on the website and via e-mail, according to (EU)2018/848 and the supplementing and implementing regulations adopted according to this regulation, Başak Ekolojik summarizes the main issues that are important in your control and certification process below.

According to Article 2 (e) of the supplementing Regulation (EU)2021/1698, adopted in accordance with the Regulation (EU)2018/848, Başak Ekolojik provides the translation of the production rules and control measures set out in Regulation (EU)2018/848, and the delegated and implementing acts adopted pursuant to it in languages that are understandable for the contracted operators or group of operators. After the application and agreement under (EU)2018/848, the aforementioned translation will be available to the operators or group of operators.

**In order to assist in examining the Guidance document, below are primarily some important definitions of (EU)2018/848:**

**‘preventive measures’** means measures that are to be taken by operators at every stage of production, preparation and distribution in order to ensure the preservation of biodiversity and soil quality, measures for the prevention and control of pests and diseases and measures that are to be taken to avoid negative effects on the environment, animal health and plant health;

**‘precautionary measures’** means measures that are to be taken by operators at every stage of production, preparation, and distribution to avoid contamination with products or substances that are not authorised for use in organic production in accordance with (EU) 2018/848, and to avoid the commingling of organic products with non-organic products;

**‘operator’** means the natural or legal person responsible for ensuring that (EU) 2018/848 is complied with at every stage of *production, preparation and distribution* that are under that person’s control;

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**'farmer'** means a natural or legal person, or a group of natural or legal persons, regardless of the legal status of that group and its members under national law, who exercises an agricultural activity;

**'plants'** means live plants and live parts of plants, including fresh fruit, vegetables and seeds;

**'plant reproductive material'** means plants and all parts of plants, including seeds, at any stage of growth that are capable of, and intended for, producing entire plants;

**'food'** means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;

**'Commission Implementing Regulation'** Implementing regulations are always limited in scope and their aim is to ensure the uniform application of European legislation and the subject matter of any implementing regulation serves that purpose only;

**'Commission Delegated Regulation'** Delegated acts can be used to **supplement** existing Regulation with respect to non-essential parts or **to amend** specific or non-essential elements of a legislative act;

**'non-compliance'** means non-compliance with the Regulation or non-compliance with the delegated or implementing acts adopted in accordance with the relevant Regulation;

**'stage of production, preparation and distribution'** means any stage from the primary production of an organic product through its storage, processing, transport, and sale or supply to the final consumer, including, where relevant, labelling, advertising, import, export and subcontracting activities;

**'traceability'** means the ability to monitor and track food and any substance intended or planned to be included in food at all stages of production, preparation and distribution;

**"Holding"**, means the structure in which all production units producing live or unprocessed agricultural products are operated under a single management, including products listed in Annex I to (EU) 2018/848, excluding essential oils and yeast;

**'placing on the market'** means placing on the market as defined in point (8) of Article 3 of Regulation (EC) No 178/2002; namely; the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves;

**'adverse climatic event'** means weather conditions, such as frost, storms and hail, ice, heavy rain or severe drought, which can be assimilated to a natural disaster;

**'environmental incident'** means a specific occurrence of pollution, contamination or degradation in the quality of the environment which is related to a specific event and is of limited geographical scope; but does not cover general environmental risks not connected with a specific event, such as climate change or atmospheric pollution;

**'natural disaster'** means a naturally occurring event of a biotic or abiotic nature that leads to important disturbances in agricultural production systems or forest structures, eventually causing important economic damage to the farming or forestry sectors;

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‘catastrophic event’ means an unforeseen event of a biotic or abiotic nature caused by human action that leads to important disturbances in agricultural production systems or forest structures, eventually causing important economic damage to the farming or forestry sectors;

‘OFIS’ European Commission Organic Farming Information System;

‘integrity of organic or in-conversion products’ means the fact that the product does not exhibit non-compliance which.

## 1. SCOPE

Products that can be controlled and certified:

- (EU) 2018/848 Article 2 (1): products originating from agriculture, as listed with their CN in Annex I to the TFEU (Treaty on The Functioning of The European Union);
- certain other products closely linked to agriculture listed in Annex I to the Regulation (EU) 2018/848.

Taking into account Annex II of (EU)2021/1378, product categories that are still in the accreditation process:

**A:** live or unprocessed agricultural products, including seeds and other plant reproductive material;

**D:** processed agricultural products, including aquaculture products, for use as food;

**G:** other products listed in Annex I to the Regulation (EU) 2018/848 or not covered by the previous categories

Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EC) 1169/2011 are not included in the scope of (EU) 2018/848.

National rules or, in the absence thereof, private standards, on the production, labelling and control of products originating from mass catering operations may be applied. The organic production logo of the European Union is not used in the labelling, the presentation or the advertising of such products.

## 2. APPLICATION PROCESS OF THE OPERATORS AND GROUP OF OPERATORS

- In accordance with the Regulation (EU)2021/1698 Art. 10(4); the new control body does not certify operators or groups of operators that have been withdrawn by their previous control authority or control body in the last 2 years, unless the recognition of the previous control authority or control body has been withdrawn by the Commission in accordance with Article 46(2a) of Regulation (EU) 2018/848 for the specific third country and category of products.

- In accordance with the Regulation (EU)2021/1698 Art 1(2-e); the translation of the production rules and control measures set out in Regulation (EU) 2018/848, and the delegated and implementing acts adopted pursuant to it in languages that are understandable, shall be made available to the contracted operators and group of operators that have signed a contract with Başak Ekolojik.

- In accordance with the Regulation (EU)2021/1698 Art 10(1-b); there should be a confirmation that the operators or groups of operators have not been certified by another control body in relation to activities carried out in the same third country regarding the same category of products, including in cases in which operators or groups of operators operate at different stages of production, preparation or distribution.

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- In accordance with the Regulation (EU)2021/1698 Art 10(1-c); there should be a confirmation by the members of a group of operators that they have not been certified on an individual basis for the same activity for a given product covered by the certification of the group of operators to which they belong.
- In accordance with the Regulation (EU) 2021/1698 Art. 10 (3); If the previous control body of the operator and the group of operator do not forward the required information to Başak Ekolojik or in case of doubts concerning the information transmitted, Başak Ekolojik will not approve the application form of the operators or group of operators until Başak Ekolojik has eliminated their doubts.
- The application form will be evaluated on the following:
  - Information and accompanying documentary evidence showing that the Group of Operator complies with Article 36 of Regulation (EU)2018/848,
  - Evidence that the farmers are natural or legal persons or a group of natural or legal persons, regardless of the legal status of the agricultural group and its members under national law,
  - In accordance with the (EU) 2021/279 Art 5(a) attached list of the members of group of operator,
  - Parcel list of individual crop production operator, including size and locations,
- The Organic Agriculture Control and Certification Service Agreement will include the undertakings of the operators or group of operators in accordance with Art 10 (1-d) of the Regulation (EU)2021/1698.

### 3. ORGANIC SYSTEM PLAN OF OPERATORS AND GROUP OF OPERATORS (OSP)

Başak Ekolojik will start to use the definition of Organic System Plan (OSP) with the new EU Regulation instead of the Operator Profile.

**In accordance with the Regulation (EU)2021/1698 Art 9 (2);** (In order to verify compliance with the Regulation (EU) 2018/848, the controls in third countries by Başak Ekolojik are carried out regularly, on a risk basis and at appropriate frequency, throughout the entire process in the production, preparation and distribution stages, through the Organic System Plan (OSP). It is performed on the basis of the likelihood of non-compliance determined by taking into account the following elements:

- a) the type, size, including newly added land parcels, and structure of the operators and groups of operators, as well as the number of new members joining the group of operators;
- b) location and complexity of the activities or operations of operators and groups of operators;
- c) the length of time during which operators and groups of operators have been involved in organic production, preparation and distribution;
- d) in the case of a group of operators, the results of the internal inspections carried out in accordance with the documented procedures of the system for internal controls of the group of operators;
- e) whether the holding includes non-organic or in-conversion production units;
- f) the type, quantity and value of products;

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- g) the risk of commingling of products or contamination with non-authorized products or substances;
- h) the application of derogations or exceptions to the rules by operators and groups of operators;
- i) the critical points for non-compliance at every stage of production, preparation and distribution;
- j) subcontracting activities;
- k) whether operators or groups of operators have changed their certifying control authority or control body;
- l) any information that might indicate non-compliance with Regulation (EU) 2018/848.

**In accordance with the Regulation (EU)2021/1698 Art 10;** Prior to the control of the operator or group of operators, Başak Ekolojik ensures that the operator or group of operators have submitted the following information via OSP:

- a detailed description of the organic and/or in-conversion production unit and, where relevant, of the non-organic production units and of the activities to be performed in accordance with Regulation (EU) 2018/848;
- the relevant measures to be taken at the level of the organic and/or in-conversion unit and/or premises and/or activities to ensure compliance with Regulation (EU) 2018/848;
- the precautionary measures to be taken in order to reduce the risk of contamination by non-authorized products or substances and the cleaning measures to be taken throughout the stages of production, preparation and distribution.

**In addition;**

1. When an operator or a group of operator need to use fertilizers and soil conditioners, these inputs shall be listed in the OSP as well as '**F-P15.14 Application form for approval of off-farm fertilizers**, soil conditioners and nutrients' shall be filled in and submitted to Başak Ekolojik. Başak Ekolojik shall evaluate the input according to the Implementing Regulation (EU)2021/1165.
2. When an operator or a group of operator need to use plant protection inputs, '**F-P15.15 Application form for approval of plant protection inputs**' shall be filled in and submitted it to Başak Ekolojik, in addition to listing these inputs in the OSP. Başak Ekolojik shall evaluate the input according to the Implementing Regulation (EU)2021/1165.
3. (EU) Implementing Regulation 2021/1165 is the main resource for reviewing off-farm crop protection and fertilizer inputs, as well as cleaning and disinfection products, food additives, processing aids and non-organic agricultural ingredients.

#### 4. HIGH RISK PRODUCTS

In accordance with the Regulation (EU) 2021/1698 Art 8, 12 and 16; with regard to high-risk products originating in third countries listed by the European Commission in accordance with Article 46(8) of Regulation (EU)2018/848 and for products determined as high risk according to Başak Ekolojik risk assessment, Başak Ekolojik;

- Performs at least two physical on-site inspections per year for the operator and group of operators. One of these physical on-site inspections is done without notice.

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- In addition to the sampling rate determined according to Başak Ekolojik risk assessment, at least one sample is taken from the product in the field every year. The sample is taken at the most appropriate time to identify the potential for unauthorized substance use.
- For operators not growing crops, a relevant sample of incoming raw material or intermediate product or processed product shall be taken.
- Takes at least one representative sample from the consignment, taking into account the sampling percentages defined in the notifications updated annually by the European Commission. In addition, Başak Ekolojik shall have a complete traceability document of the products, including invoices, with the operators or group of operators. At the request of the Commission, Başak Ekolojik sends this traceability document and sample analysis results to the importer's control body and the competent authority of the Member State where the shipment was verified.

## 5. CONTROL PROCESS

### 5.1. Minimum Control Percentages

In accordance with the Regulation (EU)2021/1698 Art. 9;

- A verification of compliance with the Regulation (EU) 2018/848 shall be carried out for all operators and groups of operators at least once a year. The verification of compliance shall include a physical on-the-spot inspection.
- Every year at least 10 % of additional controls shall be carried out to those referred to in paragraph 1. Of all physical on-the-spot inspections carried out by the control authority or control body, at least 10 % shall be without prior notice.
- Controls carried out as a follow-up on a suspected or established non-compliance shall not count towards the additional controls.
- When the risk assessment result of the group of operator is low, normally, the control authority or control body shall re-inspect at least 5 % of the members of a group of operators every year, but not less than 10 members(external control is carried out). Where the group of operators has 10 members or less, all members shall be re-inspected.

### 5.2. Laboratory Selection for Sampling and Analysis

In accordance with the Regulation (EU)2021/1698 Art 9 and 12; Başak Ekolojik, will take samples and have them analyzed at the most appropriate times in order to verify compliance at critical control points.

Başak Ekolojik, carries out sampling on at least 5 % of the number of individual operators under its control. For a group of operators, sampling is carried on at least 2 % of the members of each group.

The selection of the operators and groups of operators where samples have to be taken is based on risk assessment including the likelihood of non-compliance with the organic production rules, taking into account all stages of production, preparation and distribution.

In addition to the minimum sampling rate, Başak Ekolojik takes and analyses samples in each case where the use of non-authorized products and substances or techniques for organic production is suspected, unless it considers that sufficient evidence is available without sampling.

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In line with the (EU)2021/1698 Art 12(7), control bodies may delegate sampling tasks to other control authorities or control bodies recognised by the Commission or bodies accredited in accordance with ISO standard ISO/IEC 17025 on 'General requirements for the competence of testing and calibration laboratories'.

### 5.3. Written records of controls

In accordance with the Regulation (EU)2021/1698 Art 14; records may be on paper or in electronic form. Başak Ekolojik keeps these records for 5 years from the day of the decision on certification. Those records contains in particular:

- a description of the purpose of the controls;
- the control methods and techniques applied;
- the outcome of the controls, in particular the results of verifying the elements listed in Articles 11(Methods and techniques for controls) and 12(Sampling, methods used for sampling and selection of laboratories for sample analysis) of the Regulation (EU) 2021/1698; and
- actions that the operator or group of operators concerned is required to take as a result of the controls carried out by Başak Ekolojik, with an indication of the deadline to take action.

Copy of that record shall be kept by the operator or the inspected member of the group of operators either on paper or in electronic form.

### 5.4. Common Catalog of Measures(sanctions)

In accordance with the Regulation (EU) 2021/1698 Article 22; Başak Ekolojik has developed a coomon catalog of measures to be taken in case of a detected non-compliance. This catalog of measures is based on the elements set out in Annex IV to (EU)2021/1698 and covers:

- a. the list of non-compliances with reference to the specific rules of Regulation (EU) 2018/848 or of the delegated or implementing acts adopted pursuant to that Regulation.
- b. the classification of the non-compliances into three categories: **minor, major and critical** taking into account at least the following criteria:
  - i. the application of precautionary measures, the practical measures and the reliability of own controls carried out by the operator or group of operators;
  - ii. the impact on the integrity of the organic or in-conversion of products;
  - iii. the ability of the traceability system to locate the affected product(s) in the supply chain and prohibition of importing from a third country for the purpose of placing the product(s) on the market within the Union with reference to organic production;
  - iv. the response of the operator or group of operators to previous requests from Başak Ekolojik
- c. the measures to be applied for each non-compliance.

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## Önlemler Kataloğu ( EU) 2021/1698, Ek IV, Kısım A ve B'ye uygun olarak)

Category of non-compliance	Situations	Measure
Minör	<p>the case of non-compliance is minor when:</p> <p>i. the precautionary measures put in place by the operator/group of operator are proportionate and appropriate, and the controls that the operator has put in place are efficient according to the assessment by Başak Ekolojik;</p> <p>ii. the non-compliance does not affect the integrity of the organic or in-conversion product;</p> <p>iii. the traceability system can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production</p>	<p>Submission by the operator/Group of operator of an action plan within two(2) months setting on the correction of the non-compliance(s).</p>
Majör	<p>the case of non-compliance is major when:</p> <p>i. the precautionary measures are not proportionate and appropriate and the controls that the operator/group of operator has put in place are inefficient according to the assessment by Başak Ekolojik;</p> <p>ii. the non-compliance affects the integrity of the organic or in-conversion product; i.a. Significant deviation between input and output calculation (mass balance)</p> <p>iii. the operator/group of operator did not correct in a timely manner a minor non-compliance;</p> <p>iv. the traceability can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.</p>	<p>The Non-Compliance should be corrected in 1 month at a maximum.</p> <p>-No reference to organic production in the labelling and advertising of the entire lot or production</p> <p>-Prohibition of import from a third country for the purpose of placing that product on the market within the Union as organic production for a given period</p> <p>-New conversion period required</p> <p>-Limitation of the certificate's scope</p> <p>-Improvement of the implementation of the precautionary measures and the controls that the operator/group of operator has put in place to ensure compliance</p>
Critical	<p>the case of non-compliance is critical when:</p> <p>i. the precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are inefficient according to the assessment by Başak Ekolojik;</p> <p>ii. the non-compliance affects the integrity of the organic or in-conversion product;</p> <p>iii. the operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances; and</p> <p>iv. there is no information from the traceability system to locate the affected product(s) in the supply and the products cannot be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.</p> <p>Examples: Absent or intentionally incomplete records and financial records, falsification of documents, intentional re-labelling of downgraded products as organic, intentional mixing organic with in-conversion or non-organic products, intentional use of non-authorized substances or products, Intentional use of GMOs, refusing the control body access to premises subject to controls, or to its book keepings</p>	<p>The Non-Compliance should be rectified immediately.</p> <p>-No reference to organic production in the labelling and advertising of the entire lot or production.</p> <p>-Affected products/lots cannot be sold as organic. Any import/transaction certificate for the products/units won't be issued.</p> <p>-Prohibition of import from a third country for the purpose of placing that product on the market within the Union as organic production for a given period</p> <p>-New conversion period required</p> <p>-Limitation of the certificate's scope</p> <p>-Suspension of the certificate</p> <p>-Withdrawal of the certificate</p>

### 5.5. Verification of consignments intended for import into the European Union

In accordance with the Regulation (EU)2021/1698 Article 16; Başak Ekolojik verifies consignments intended for import into the Union with regard to the compliance with Regulation (EU) 2018/848 and the delegated Regulation (EU)

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2021/1698. This verification includes systematic documentary checks and, as appropriate according to a risk assessment, physical checks, before the consignment leaves the third country of export or of origin.

## 5.6. Group of Operator Structure, Composition and Control

- Matters such as the formation of the Group of Operator, the documented procedures that the internal control system (ICS) should include, the duties of the ICS Manager and ICS inspectors, the content of member agreements, in which cases the group of operator's certificate can be withdrawn by the control body are specified in Article 36 of (EU)2018/848.

- The composition and size of a group of operators are specified in (EU) 2021/279 Article 4:

o *A member of a group of operators registers to only one group of operators for a given product, also where the operator is engaged in different activities related to that product;*

o *The maximum size of a group of operators will be 2 000 members;*

o *Group of operators are required to comply with this provision by 1 January 2025 at the latest.*

- In accordance with the Regulation (EU) 2021/279, Article 5; The group of operators keeps the following documents and records for the purposes of the system for internal controls (ICS):

o the list of members of the group of operators;

o the signed membership agreements between the member and the group of operators as legal person;

o the internal inspection reports signed by the ICS inspector and the inspected member of the group of operators;

o the training records of the ICS inspectors;

o the training records of the members of the group of operators;

o the records of the measures taken in case of non-compliance by the ICS manager;

o traceability records, including information on the quantities;

o the written agreements and contracts between the group of operators and subcontractors including information on the nature of the subcontracted activities;

o the appointment of the ICS manager.

- In accordance with the Regulation (EU) 2021/279, Article 6; The ICS manager immediately notifies Başak Ekolojik of the following information:

o any suspicion of major and critical non-compliance;

o any suspension or withdrawal of a member or a production unit or premises, including purchase and collection centres, from the group;

o any prohibition of the placing on the market of a product as organic or in-conversion, including the name of the member or members concerned, the relevant quantities and lot identification

- In accordance with the Regulation (EU) 2021/771 Article 2,:

o In order to certify and verify the compliance of a group of operators, Başak Ekolojik assigns inspectors who have been qualified also for the control of group of operators to assess systems for internal controls (ICS);

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- Başak Ekolojik evaluates the set-up, functioning and maintaining of the ICS of a group of operators;
- Başak Ekolojik inspector assesses the risk of group operator to select the sample of the members for the re-inspections. In doing so, it takes into account at least the volume and the value of the production and the assessment of the likelihood of non-compliance with the provisions of Regulation (EU) 2018/848 and risk assesment result of Başak Ekolojik certifier. Re-inspections is carried out physically on the spot with the presence of the members selected. The farmers is sampled only after the inspection of the ICS's management system.
- In accordance with the Regulation (EU) 2021/1698 Article 9(7), When the risk assesment result is low, Başak Ekolojik normally re-inspects at least 5 % of the members of a group of operators annually, but not less than 10 members. Where the group of operators has 10 members or less, all members are re-inspected.
- Başak Ekolojik allocates reasonable time for the control of a group of operators. Başak Ekolojik spends minimum of 1 day to control the ICS's management system. The number of days may be increased based on the size and complexity of the ICS.
- Başak Ekolojik carries out at least two (2) witness inspection of each ICS inspector during internal inspection of the member in order to verify the competence and knowledge of them.

## 6. CERTIFICATION PROCESS

Operators and group of operators may not place their products on the market as organic products or products in transition, unless they has a 'certificate'.

In accordance with the Regulation (EU)2021/1378, Art 1, Başak Ekolojik provides operators, groups of operators and exporters in third countries with the 'certificate' confirming that such operators, groups of operators and exporters comply with Regulation (EU) 2018/848. The certificate will;

- be issued in accordance with the model set out in Annex I to the Regulation (EU)2021/1378,
- be issued in electronic form by using the electronic Trade Control and Expert System (TRACES),
- allow the identification of the operator, group of operators or exporter covered by the certificate, including the list of members of a group of operators,
- allow the identification of the category of products covered by the certificate, classified as;
  - unprocessed plants and plant products, including seeds and other plant reproductive material,
  - processed agricultural products, including aquaculture products, for use as food,
  - other products listed in Annex I to the Regulation(EU) 2018/848, and
- allow the identification of its period of validity,
- certify that the activity of the operator, group of operators or exporter complies with Regulation (EU) 2018/848,
- be updated whenever changes occur concerning the data included in it,

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- carry out verifications in accordance with Article 10 of (EU)2021/1698 before certifying operators and group of operators.

## 7. OTHER ACTIONS TO BE CARRIED OUT BY CONTROL BODIES

### 7.1. List of operators and other relevant information to be publicly available

In accordance with the Regulation (EU)2021/1698 Artical 17; Başak Ecological will make the following information available on its website in Turkish and English:

- list of certified operators and certified groups of operators, containing:
  - for operators, their name and address;
  - for groups of operators, the name and address of the group and the number of its members;
  - information relating to the certificates, in particular, the certificate number, category of products covered by the certification, status and validity of certification, including cases of scope reduction, suspension and withdrawal as referred to in ISO standard ISO/IEC 17065;
- in the case of control bodies, updated information on their accreditation, including a link to the latest accreditation certificate issued by its accreditation body.

The list of certified operators and certified groups of operators is immediately updated after any change of the status of the certification.

*In case of withdrawal, the information is kept in the list for 5 years after the withdrawal.*

### 7.2. Exchange of Information Between the Commission and Control Bodies

- In accordance with the Regulation (EU)2021/1698 Article 21; Başak Ekolojik immediately shares information with the Commission and control bodies on any suspicion of non-compliance that affects the integrity of organic products.
- In addition, in case of notification by the Commission of suspected or established non-compliances affecting the integrity of imported organic products, Başak Ekolojik carries out an investigation in accordance with Article 22 of (EU)2021/1698. Başak Ekolojik informs the Commission using the template set out in Annex III to the (EU) 2021/1698. Başak Ekolojik replies within 30 calendar days from the date of receipt of that notification and provides the information, including the results of the investigation, the actions and measures taken and all other information.
- In cases where operators and group of operators are subject to traceability control and mass balance control, Başak Ekolojik shares the relevant information that enables these controls to be finalized.
- Where operators or groups of operators and/or their subcontractors change their control body, the new control body requests the control file of the operator or group of operators concerned from the previous control body within 30 days. The new control body ensures that the previous control body provides the information specified in Article 10 (3) of (EU)2021/1698.

### 7.3. Additional rules on actions to be taken in case of non-compliance

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In accordance with the Regulation (EU)2021/1698 Article 22; In addition to the measures referred to in Article 29(1), (2) and (3) of Regulation (EU) 2018/848 and Article 2 of the Implementing Regulation (EU) 2021/279; where Başak Ekolojik suspects or receives substantiated information, including information from other 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 body has been informed by an operator of a suspicion of non-compliance, Başak Ekolojik;

- immediately carries 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;

- prohibits the import from that third country for the purpose of placing the product concerned on the market within the Union as organic or in-conversion product pending the results of the investigation.

#### 7.4. Additional rules on measures in the event of non-compliance

In accordance with the Regulation (EU)2021/1698 Article 23, In the event of non-compliance affecting the integrity of organic or in-conversion products throughout any of *the stages of production, preparation and distribution*, for example as a result of the use of non-authorized products, substances or techniques, or commingling with non-organic products, Başak Ekolojik ensures that no reference is made to organic production in the labeling and advertisement of the entire lot or production run of the product intended to be imported from a third country for the purpose of placing that product on the market within the Union.

Where the non-compliance is established, Başak Ekolojik:

- takes any action necessary to determine the origin and extent of the non-compliance and to establish the responsibilities of the operator or group of operators,

- takes appropriate measures to ensure that the operator or group of operators remedies the non-compliance and prevents further occurrences of such non-compliance.

#### 7.5. Checks to be carried out for the purpose of the retroactive recognition of a previous period

producers comply with a conversion period, and the conversion period begins at the earliest when the producer reports the activity to the control body. For the purposes of 3 paragraph of Article 10, the previous period may be retroactively recognised as part of the conversion period if the operator provides evidence that the land parcels were natural or agricultural areas and have not been treated with products or substances not authorized for use in organic production.

In accordance with the Regulation (EU) 2021/1698 Article 24; Before Başak Ekolojik grants retroactive recognition of a previous period as part of the conversion period, the land parcels of the operator have not been treated or contaminated with products or substances that are not allowed for use in organic production in accordance with Regulation (EU) 2018/848 for at least 3 years or the information and documents proving that they were natural or agricultural lands, should be provided with the [F-P15.03 Application form for retroactive recognition of the previous period](#) as part of the conversion period, *before the start of cultivation measures*.

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- Başak Ekolojik carries out a detailed risk analysis based on documentary evidence to assess whether any land parcel covered by the request for retroactive recognition has been treated with products or substances that are not authorised for use in organic production for a period of at least 3 years, taking into account in particular the size of the total surface to which the request relates and the agronomic practices carried out during that period on each land parcel subject to the request.
- Before any cultivation measures are taken by the operator, all production units, equipment, transport vehicles and facilities under the operator's control, including parcels of land covered by the request for retroactive recognition, are physically checked, as appropriate, to verify the consistency of the information collected.
- Başak Ekolojik takes soil and/or plant samples from each land parcel in line with the risk analysis results, including the land parcels identified as presenting the risk of being contaminated.
- After the verification, the inspector draws up the Turkish and English inspection report and adds the photographs of the lands to the control file.
- Based on the information provided by the operator and after verifications, Başak Ecological certifier will draw up a Final Report with justification whether the previous period can be recognised retroactively as part of the conversion period.
- Başak Ekolojik immediately notifies the Commission and its accreditation body(TÜRKAK) of any retroactive recognition granted.
- Başak Ekolojik ensures that the operator to whom the granted retroactive recognition applies keeps documentary evidence relating to that recognition, as well as documentary evidence on the use of the land parcels covered by that recognition, for 3 years.

## 7.6. Authorisations for the use of in conversion and non-organic plant reproductive material

- According to 1.8.1 of Part I of Annex II (EU) 2018/848; For the production of plants and plant products other than plant reproductive material, only organic plant reproductive material shall be used.
- By way of derogation from point 1.8.1, operators in third countries may use in-conversion plant reproductive material when organic plant reproductive material is justified to be not available in sufficient quality or quantity in the territory of the third country in which the operator is located.
- Recognized control bodies pursuant to Article 46(1) of Regulation ( EU)2018/848 may authorize operators in third countries to use non-organic plant reproductive material in the organic production unit under some conditions laid down in (EU)2018/848, when organic or in-conversion plant reproductive material or organic plant reproductive material authorised in accordance with (EU) 2018/848 is not available in sufficient quality or quantity in the territory of the third country where the operator is located.

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- In accordance with the Regulation (EU)2021/1698 Article 25, Başak Ekolojik assesses the information, draw up a justification for each derogation granted and includes the relevant information in the annual report to the European Commission.

- *Derogations for organic plant reproductive material will expire on 31 December 2036.*

## 7.7. Reporting on provisional authorisation for the use of non-organic agricultural ingredients for processed organic food

In accordance with the Regulation (EU)2021/1698 Article 27; If they are not included in Annex V of (EU) 2021/1165, a provisional authorisation for a maximum of six months is granted to operators who request such authorisation in third countries and are subject to control by Başak Ekolojik, or use non-organic agricultural ingredients or processed organic foods. The authorization may be extended a maximum of two times, each for six months. Başak Ekolojik will immediately notify *the Commission, the accreditation body and other control authorities and control bodies of any provisional authorization* granted for the use of non-organic agricultural ingredients for processed organic foods pursuant to Article 25(4) of (EU) 2018/848. That notification shall include the justification, presented in the dedicated form made available by the Commission, that such authorisation has been granted in accordance with Article 25(1) of Regulation (EU) 2018/848.

## 7.8. Catastrophic circumstances

- In accordance with the Regulation (EU) 2021/1698 Article 28; In order for Başak Ekolojik to recognize a situation as a catastrophic circumstances, an 'adverse climatic event', 'environmental incident', 'natural disaster' or 'catastrophic event' or any comparable situation, it should be based on a statement made by the relevant authorities of the third country in which the situation occurs, where available. If such a statement is not available, any such recognition by Başak Ekolojik shall be based on data provided by official organisations, justifying the catastrophic circumstances.

- In accordance with the Regulation (EU) 2021/1698 Article 29; Başak Ekolojik may grant derogation non-organic plant reproductive material, upon identification of the operators affected in the area concerned or upon request from the individual operator or the member of the group of operators concerned.

- If there is a catastrophic circumstances in the region for the production of plants and plant products, in cases where it is not possible to use organic or in-conversion plant reproductive material, non-organic plant reproductive material may be used, provided the following conditions are met;

o Non-organic plant reproductive material is not treated after harvest with plant protection products other than those authorised for the treatment of plant reproductive material in accordance with the Regulation (EU) 2018/848), unless treatment is mandatory by official agents. Where the non-organic plant reproductive material treated with chemical treatment mandatorily, the parcel on which the treated plant reproductive material is growing is subject, where

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appropriate, to a conversion period as provided in points 1.7.3 and 1.7.4 of Part I of Annex II of the Regulation (EU) 2018/848.

○ In case the plant reproductive material is in conversion status, the requirements set out in point 1.7 of Part I of the Annex II of the Regulation (EU) 2018/848 have been complied with.

○ Additionally; GMOs, products produced from GMOs, and products produced by GMOs shall not be used in plant reproductive material in line with the Article 11 of the Regulation (EU) 2018/848.

- Conditions apply;

a) for a limited period and no longer than necessary, and in no case longer than 12 months, to continue or recommence organic production as carried out before the date of application of those derogations;

b) in relation to specifically affected types of production or, where relevant, land parcels; and

c) to the individual operator or the member of the group of operators concerned.

- Başak Ekolojik immediately notifies the European Commission and its accreditation body, of the derogations granted via the Organic Farming Information System (OFIS). In particular, Başak Ekolojik indicates;

○ the name of the operators concerned,

○ the time period for the derogation,

○ the type of production or, where relevant, land parcels,

○ the justification for the derogation and

○ include a statement from the relevant authority of the third country

- Where a statement is not available, Başak Ekolojik justifies the non-inclusion of such a statement and provide the relevant data on which the recognition is based.

- Başak Ekolojik ensures that any operator to whom the granted derogations apply keep documentary evidence relating to the granted derogations as well as documentary evidence on the use of those derogations during the period where those derogations apply. Başak Ekolojik verifies the compliance of the operators with the conditions of the granted derogations.

- Derogation for non-organic plant reproductive material after the evidential declaration by the relevant authorities of the third country where the incident occurred OR, in the absence of such declaration, after the provision of data provided by official bodies justifying the disaster conditions, is given with '[F-P15.04 Form for using non-organic plant reproductive material in catastrophic circumstances](#)'.

**For more information, please review the Regulations below;**

- (EU)2018/848-Regulation 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.

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- (EU) 2021/279-Commission Implementing Regulation of 22 February 2021 laying down detailed rules for the implementation of Regulation (EU) 2018/848 of the European Parliament and of the Council on controls and other measures ensuring traceability and compliance in organic production and the labelling of organic products.
- (EU) 2021/771-Commission Delegated Regulation of 21 January 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council by laying down specific criteria and conditions for the checks of documentary accounts in the framework of official controls in organic production and the official controls of groups of operators.
- (EU) 2021/1698- Commission Delegated Regulation of 13 July 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies.
- (EU) 2021/1165- Commission Implementing Regulation of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists.

## DISTRIBUTION

An electronic copy of this document is available to all personnel in the Başak Ekolojik Institutional Portal System (SharePoint).

## REVISION HISTORY

Revision No	Related Article	Revision	Revision Date
02	General	Adjustments have been made according to the new EU organic production Regulation with number (EU)2018/ and Chapter II has been added.	20.03.2023

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