Request for retroactive recognition of land

By submitting this application your operation seeks retroactive recognition of conversion period. Retroactive recognition for cultivated plots/ fallow/ virgin areas may be granted for the following organic Standards:

* Regulation (EU) 2018/848 Art. 10.3(b) and Reg (EU) 2021/1698, Art. 24)
* NOP (§ 205.400-406 National Organic Program)

Please complete chapters 1-4 of this form and attach the required annexes. Please keep documents and production records such as use of inputs, yield quantities, invoices, GMO free declarations, non-treatment declarations for seeds, or other information giving evidence of production during previous 3 years ready for inspection.

We recommend that the retroactive recognition request is submitted before the inspection to the certifier, otherwise additional inspections might be needed. The certifier will perform a plot wise risk analysis and decide on the next steps (e.g. on-site visit, etc.). If the retroactive recognition request is submitted during an inspection without previous analysis by the certifier, the inspector will conduct the analysis and risk assessment and decide on the next steps. In any case the information from the on-site visit, will be submitted to the certifier, who might request further action (e.g. additional inspection).

If the plot wise risk analysis shows a potential contamination risk due to the use of unauthorized products or substances for organic production, soil and/or plant samples will need to be taken from each affected plot and analysed.

During the on-site inspection the inspector will fill in chapter 5 of this form. **A decision on retroactive recognition can only be made after an on-site inspection of the plots covered by the request for retroactive recognition. The on-site inspection must take place before any cultivation actions are taken by the operator.**

After evaluating the facts the final decision is taken by the certification committee. We recommend to wait until the final decision of bio.inspecta is communicated before conducting any cultivation actions.

Please note that processing your application will be charged as per our price list.

# Applicant/ Operator

|  |  |
| --- | --- |
| Name of operator |  |
| b.i Number |  |

# Explanatory Statement

Please give reasons for requesting retroactive recognition for the plots listed in chapter 3.2.

Has the land ever been certified organic before?

If yes:

* by which certification body?
* according to which standard?
* from when to when?

If no:

* have the organic production rules according to the reg. (EU) 2018/848 or reg. (EU) 834/2007 or NOP been applied? Self assessment:
* how were weeds, pests and diseases managed during the last 3 years?
* how was soil fertility managed during the last 3 years?
* have you used trated seeds/ planting material during the last 3 years?

# Field history of previous 3 years

# 3.1 Previous management

Plots have been under the management of the applicant

Plots have **not** been under the management of the applicant

Name(s) and address(es) of former responsible(s) of the land:

|  |  |
| --- | --- |
| Name |  |
| Address |  |
| Country |  |
| Phone/E-mail |  |

# 3.2 Details of plots for which retroactive recognition of conversion period is sought

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| --- | --- | --- | --- | --- | --- | --- | --- |
| Year | Plot No. and/ or name | Area [ha] | Crop | Name/ variety of all used seeds/ planting material | Source/  manufacturer of seeds/ planting material | Name of all used inputs (fertilisers, plant protection agents) | Source/ manufacturer of fertilisers/ plant protection agents |
| This year:  20 |  |  |  |  |  |  |  |
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| Last year:  20 |  |  |  |  |  |  |  |
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| Two years ago:  20 |  |  |  |  |  |  |  |
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| Three years ago:  20 |  |  |  |  |  |  |  |
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**Note:** If there is not enough space, please add additional lines to list all plots by using the “Tab-key” in the last cell at the bottom right.

# Annexes *to be added by applicant:*

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| --- |
| **Compulsory annexes***:*  Google (or similar) map of plots, including geolocation  Pictures of plots, with date of picture  Plot acquisition/ rental contract (if possible)  Harvest information of last 3 years (if applicable)  Invoices and confirmation of untreated/ non-GMO seeds from suppliers for seeds used in the past 3 years (if applicable)  Organic confirmation of used inputs (if applicable)  In case of previous certification: Certificate and certified plot list of former certification body  If plots have not been under management of the applicant: Written statement of land use and management practices of field(s) by former owner/ manager  **Other possible annexes:**  Written statement of a competent and independent third party (e.g. authorities, NGO) confirming that the plots listed in chapter 3 have not been under cultivation /or that no prohibited inputs were applied over the past years.  Pesticide analysis reports from accredited laboratories (please describe sampling place and method)  other |

**Please send the completed and signed form with annexes to: international@bio-inspecta.ch**

**Confirmation by the operator that the above made declarations are correct and complete.**

…………………………………………… ………………………………………. ……………………………………

Place/Date Signature & Name Stamp

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Assessment of the request and attachment by bio.inspecta**:   |  |  | | --- | --- | | **Request is accepted for onsite verification:**  Low risk of parcels treated with not authorised products/substances  High risk of parcels treated with not authorised products/substances  Based on the results of the risk analysis a soil or / and crop sample is required from the following land parcel(s)  **Explanation:** | Reg. (EU) 2018/848  NOP | | **Request is rejected for:** | Reg. (EU) 2018/848  NOP |   **Explanation & justification:**  Map with GPS coordination is not provided  Request is incomplete  No satisfactory evidences of using authorities seeds/input during last 3 years submitted  other :    …………………………………………. ……………………………………….  Place/Date Signature & Name |

# Onsite verification checklist (Inspector’s findings): *To be filled by bio.inspecta inspector, this document is the mandatory attachment of the production checklist (inspection report).*

***A description must be added whenever there is a text field!***

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| --- | --- | --- |
| **Evaluation of the project region** | Yes | No |
| Is agriculture the primary source of livelihood for the farmers in the region? |  |  |
| The common farming practice is mainly:  intensive (high mechanization level, use of chemicals)  extensive (low mechanization level, use of chemicals is rarely found) |  |  |
| Listing of the typical crops grown in the region: |  |  |
| Are there official agriculture management measures conducted in the region (government/ state management and inspection etc.)?  If yes, indicate dates of order and results of inspection and type of the suggested inputs: |  |  |
| Is there official chemical pest management/ requirements (government/ state) in the region for the type of production done by the operator?  If yes, indicate common time and inputs: |  |  |
| Are chemical fertilizers, pesticides etc. easily available in the project area? |  |  |
| Do the farmers get support and free supply of pesticides from government or NGO’s? |  |  |
| How easy is the access to traders selling pesticides and seeds? |  |  |
| **Characteristic of the farm** | Yes | No |
| Has the operator good knowledge of organic farming practices?  Where did the operator get his knowledge from (training, consultant, self-study)? |  |  |
| Does the operator keep own animals?  Animal species and number of animals:    Animal manure shall not derive from factory farming. Was manure of the animals used on fields?  If yes: Where did it come from? |  |  |
| If plots have not been under management of the applicant:  Written statement of land use and records about management practices (ref. paragraph “documentation”) by former owner/ manager have been checked and are attached: |  |  |
| Interview with the former owner/ manager has been done: |  |  |
| Is there plausible proof that the former owner/ manager did not use any prohibited inputs (e.g. treated or GMO seeds, fertilizers, plant protection agents)? |  |  |
| Land purchase contracts/ land rental contracts have been checked. If there is no purchase/ rental contracts/ other evidence, but the operator claims that the plots have been under their management in previous years, there must be a confirmation about this by the land owner, including evidence (e.g.contract between the owner and manager, organigram, etc.). |  |  |
| **Documentation of previous cultivation** | **Yes** | **No** |
| Production records, purchase invoices, yield records or other documents regarding the farm management, use of any (allowed and/ or prohibited) inputs, planting materials for the last 3 years (name of input, applied quantity, date of application, purchase invoices) have been cross-checked (fully checked for high risk countries and high risk products).  Please describe what records have been checked and what are the findings (list all kind of available documents and records, and add for which year they are available; upload to the Intact Platform examples of documents from all years): |  |  |
| Are yields plausible for the cultivation practices declared (include information about usual yield for the crop in the region, comparing it with the announced cultivation practices)? |  |  |
| If yield data before starting organic practices are available, was there a decline in yield when organic practices started? |  |  |
| **Farm visits** | **Yes** | **No** |
| Have any prohibited inputs been found on the farm (storage, fields, etc.)?  If yes, please mention name, active substance, manufacturer, add pictures and explanation of operator: |  |  |
| Do spraying equipment/ fertilizer application machines/ tools show any hints that chemicals have been used (by smell, appearance, rests etc.)?  If yes, please describe and attach pictures. |  |  |
| Have all plots proposed for retroactive recognition (single/ICS) been physically visited? |  |  |
| ***A photo of each plot covered by the request for retroactive recognition must be attached (indicate the plot number photo wise).*** |  |  |
| If no, indicate here which plots could not be visited and name the reason (unvisited plots can not be granted retroactive recognition): |  |  |
| Is there evidence that the declared crops have been grown in the previous year (e.g. stubbles, grains). |  |  |
| Is there evidence that the agricultural measures declared in chapters 2 and 3 have been implemented?  Please include your plausibility considerations (e.g. dryland farming, irrigated farming; income fetched by the culture, incentives for applying/ not applying unallowed inputs, etc.). |  |  |
| In case of “organic by neglect”, is there evidence for the neglection?  Please include your plausibility considerations (e.g. describe the vegetation in the plot and compare with typical vegetation for the region; describe whether e.g neglected orchards are usual in the region; no profitable cultivation possible in past years, now the market situation changed; incentives for applying/ not applying unallowed inputs; etc.). |  |  |
| In case of fallow/ virgin land, is there evidence in the vegetation of the plot that it was fallow/ virgin for the period declared?  Please include your plausibility considerations (e.g. describe the vegetation in the plot and compare it with typical vegetation for the region and, in case of fallow land, considering the time period for which the plot is claimed to have been fallow, etc.). |  |  |

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| Is the request submitted for a group of operators (ICS)?  Is there a system describing the procedure for retroactive recognition in the ICS? |  |  |
| Does the procedure described in the ICS meet the requirements to submit satisfactory proof for no use of unallowed input in the past 3 years in plots for which ones retroactive recognition is required? |  |  |
| Is there documentary evidence in the farm files of the information collected for each farm about the plot history? |  |  |
| Are the plots (all proposed farmers/ plots) physically visited by the internal inspectors and are the visits documented in internal inspection reports? If no, indicate here which farmers/ plots and the reasons: |  |  |
| Are the ICS decisions for proposed farmers/ plots matching with existing information and findings of internal inspections? |  |  |
| Does the information obtained during external farm visits match with the information of the ICS? |  |  |
| In case of doubts, the following actions were taken to ensure compliance:   * Interview with seed/ chemical shops in the region (do they know the farmer? Did they sell chemicals to him?) * Interview with neighbours  (what farming practices could be observed during the last 3 years?) * Interview with village leader  (what farming practices could be observed during the last 3 years?)   The interview(s) led to the following conclusion: |  |  |
| Based on the above assessment of the following plots       a risk of contamination by not authorised organic products is considered possible. A soil and/or crop sample is taken (sampling protocol is attached).  Comments |  |  |

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| **Confirmation inspector:**    …………………………………………. ……………………………………….  Place/ Date of inspection Signature of Inspector & Inspector Name |

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| --- |
| **Confirmation Operator:**  **Right to appeal**  The undersigned has reviewed the outcome of the inspection documented in this report and confirms the completeness and accuracy of the information provided in the inspection and the content of this report.  He/ she has taken note of the findings described in this report.  The undersigned has the option of submitting a counter-notification in writing to bio.inspecta AG within three working days of receipt of this report. If no reply is received within this period, the contents of this report shall be deemed to be acknowledged.    …………………………………………. ……………………………………….  Place/ Date Signature of Operator& Name of Signee |
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