

## Guideline Conversion period of land management

### 1. Retroactive recognition of land management in organic farming

#### Introduction

*'Retroactive recognition of land management'* means recognition of previous land management.

#### Legislation references

This guideline is referring to 'Retroactive approval of a prior management period' in the context of the EEC Organic Regulation and Albinspekt Equivalency rules to EU organic regulation.

The framework of the regulation concerning this approval is:

- ↗ EEC Reg. 834/2007 & Albinspekt Equivalency rules to 834/2007, Art. 17(1)(e),
- ↗ EC Reg. 889/2008 Implementing rules & Albinspekt Equivalency rules to 889/2008 Art. 36 (2),
- ↗ Law 9199, Annex A, point 1.

#### Procedure for the retroactive recognition

Depending on prior management, an earlier point in time may retroactively be recognized as the starting of the conversion period. Usually the starting of the conversion period is calculated, at the earliest, when the operator has notified his activity to the competent authorities and subjected his holding to the control system.

The decision making for certification will take into account the prior management of the land. When a positive decision is undertaken, the products can be placed on the market with indications referring to the organic production method, at a shortened conversion period. Albinspekt takes decision for retroactive recognition to shorten 12 months, 24 months or 36 months of conversion.

#### A. To apply for the retroactive recognition with Albinspekt, an operator shall:

- 📄 Apply the organic principles, as described in the respective regulation, without any exception, during the entire conversion period.
- 📄 Fill in and send to Albinspekt the application form (5.1.007). The application form can be downloaded from [www.albinspekt.com](http://www.albinspekt.com).
- 📄 Additional documents to application:  
Mandatory:
  - A detailed map of the area showing: the positioning of the plot/s under control scheme
  - Document of ownership or renting contract of the plot/s
  - Detailed farm records (pesticides or fertilizer use etc in case of using agriculture inputs)
  - Previous certification according to different standards.

- Satisfactory proof showing that products not allowed for organic production have not been used on the parcels in question for at least, the past three years (e.g. written expert report or confirmation by an independent professional or a competent authority).

**B.** In case of suspicions for presence in the soil of persistent non allowed substances Albinspekt before taking a decision additional steps are taken:

- Declaration from a third party (local authorities) regarding the history of cultivation and use of persistent non allowed substances in the last 40 years
- Analyses of the soil

Criteria by which the inspector decides whether there is suspicion presence of persistent non allowed substances in the soil are:

- History of the plots (type of plants cultivated previously, cultivation methods, local knowledge, yields etc.)
- Location of the plots (intensive/ extensive production areas)
- Etc

No positive decision for retroactive recognition is taken in case of presence of persistent non allowed substances on the soil.

**C.** The inspector of Albinspekt will visit the site prior decision is taken and will write a report on the assessment on site (evidences of vegetation, neighboring plots, boundaries, interview with the neighbor, etc must be part of the report).

This report can be accompanied by photographic documentation and will be filed on the operator's file, together with the application for retroactive recognition.

In the case of approval being sought for fallow land or as yet unused land, the pre-assessment must take place prior to the land being ploughed up.

In case of doubt the inspector will take a sample (e.g. soil sample, plant sample). The cost of sampling and analysis will be covered by the operator.

The certifier of Albinspekt, will screen the application documents and inspector's report, and take the decision for the retroactive recognition.

**Albinspekt will treat each application on a case by case basis. Thus, the operator has to clearly and correctly proof the above requirements.**