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| From:    | Presidency  |
| To:      | Delegations   |
| Subject: | Regulation amending the organic farming Regulation<br>- <i>Presentation by the Commission</i><br>- <i>Policy debate</i> |

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With a view to the meeting of the Council (“Agriculture and Fisheries”) on 26 January 2026, delegations will find in the Annex a background document on the above-mentioned subject.

**Proposal for amending the organic farming Regulation as regards certain production, labelling and certification rules and certain rules on trade with third countries**

Organic farming is a key component of the EU's Common Agricultural Policy (CAP), promoting environmental protection, biodiversity resilient and sustainable rural development, while it has also become a driver for generational renewal. Beyond its environmental benefits, organic farming presents a strong economic and business case. The CAP supports the sector through a variety of measures, which has contributed to the expansion of EU farmland under organic farming to 11%. At the same time, consumers and farmers are increasingly recognizing the value of organic products, the significance of the EU organic logo for the internal market and trade with third countries and the sectors' contribution to the future of EU agriculture.

Regulation (EU) 2018/848 was adopted in 2018 and entered into force on 1 January 2022, modernizing the European Union's framework for organic production and the labelling of organic products. The four-year period between the Regulation's adoption and application constituted a crucial time of transition for operators (such as farmers, processors, traders) and certification bodies, affecting investment and conversion to organic farming. During this period operators continued to rely on the previous legislation Regulation (EC) No 834/2007, while adjusting to the important changes introduced by the new framework.

Consequently, since 2022, Member States and operators have been engaged in the implementation of the Regulation (EU) 2018/848. Following the first years of implementation, it has become apparent that targeted adjustments are necessary to avoid unnecessary administrative burden and increased cost, support further the competitiveness of the organic sector and optimise organic production for the benefit of EU producers, traders and consumers. The need for adjustments was confirmed during the consultations held in recent months. This is also relevant for the relevant delegated and implementing acts.

This, together with the aim of providing clarity following the judgement in the *Herbaria II* court case<sup>1</sup> and extending the deadline (31 December 2026) for the expiry of the status of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, has reinforced the urgent need for a targeted revision of the organic farming regulation, as proposed by the Commission in document 16969/25.

To ensure that the EU organic sector and consumers benefit from the changes as quickly as possible – having in mind the geopolitical challenges the Union’s agriculture is currently facing – and to safeguard legal certainty as regards trade with third countries, it is important that this legislation is adopted the soonest possible. The Cyprus Presidency is therefore willing, despite the heavy burden from the discussion of the CAP reform, to prioritise this proposal in order for the Council to adopt a mandate for negotiations with the EP before the end of June 2026, thus paving the way for its adoption during the incoming Irish Presidency, including the time-consuming trilateral negotiations with the European Parliament and the Commission.

In this context, during the meeting of the Council (Agriculture and Fisheries) on 26 January, Ministers are requested to provide political guidance on the way forward for the examination of the proposal following its initial presentation by the Commission. To ensure a targeted discussion, the CY presidency proposes the following questions:

1. Do the MS agree with the target of working towards concluding the discussions on the proposal for amending Regulation (EU) 2018/848 with a view to its entry into force by the end of 2026, to ensure legal certainty as regards trade with third countries and that organic producers, traders and consumers benefit from the proposed changes as soon as possible?
2. Keeping the above in mind, as well as the roadmap<sup>2</sup> which accompanies the proposal, in which points do Member States feel the proposed regulation could be further finetuned without delaying its adoption?

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<sup>1</sup> Judgement of 4 October 2024, *Herbaria Kräuterparadies II GmbH / Freistaat Bayern* Case (C-240/23) ECLI:EU:C:2024:852.

<sup>2</sup> <https://webgate.ec.europa.eu/circabc-ewpp/d/d/workspace/SpacesStore/7d5eeef0-e152-4074-be17-7f49d22e5f22/download>