



Department
for Environment
Food & Rural Affairs

Expert Group on Organic Production (EGOP): Terms of reference

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**The Scottish
Government**
Riaghaltas na h-Alba



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk



Llywodraeth Cymru
Welsh Government

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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Purpose

The purpose of the Expert Group on Organic Production (EGOP) is to provide comprehensive advice to the Four Nations Working Group (FNWG), via the Department for Environment, Food and Rural Affairs (Defra).

Advice is provided on future organic policy and technical issues requiring specific expert advice. This includes advice on preparing for future obligations arising under the UK-EU sanitary and phytosanitary (SPS) agreement.

This group will also provide assistance in reviewing third country and third country control body applications and annual reports.

Background

Following the UK's¹ departure from the European Union, the UK has retained the EU organic regulations as at 31 December 2020 with minor amendments to ensure operability. Any future amendments will be determined by the UK government, Scottish Government and Welsh Government. This presents an opportunity for the UK to develop its own policy tailored to the needs of the domestic market and consumers. In order to do so in the most effective manner, the UK government, Scottish Government and Welsh Government require impartial expert advice on issues around organic production, processing and certification.

The FNWG will fulfil the role previously managed by the EU's 'Committee on Organic Production' and the EGOP will fulfil the role previously undertaken for the UK by the EU's 'Expert Group for Technical Advice on Organic Production (EGTOP)' This will include an additional role to that of EGTOP by providing experts to give impartial advice on applications for equivalency in organic standards and annual reports from third countries and third country control bodies.

The expert group will sit below the FNWG and all recommendations will be submitted to the FNWG where the final decision will be made.

Expert opinions on matters regarding the EU regulations, as they apply in Northern Ireland, will continue to be addressed by the EU Commission and the EU's EGTOP. However, divergence between the regulations applied in Great Britain and

¹ As the EU regulations continue to apply in Northern Ireland as they do in the EU, references to the United Kingdom should be read as meaning "Great Britain".

Northern Ireland will be addressed by this expert group as part of any request for advice commissioned.

The wider regulatory landscape is expected to evolve further as the UK prepares for implementation work related to the EU SPS agreement, and potential dynamic alignment obligations. These developments necessitate enhanced technical advice to support timely, evidence-based decision-making. Defra's engagement with the group will be an increasingly important feature, ensuring that regulatory changes are deliverable and proportionate for producers, processors, importers, exporters and certifiers.

Scope

The remit of the EGOP will include, but not be limited to, the following areas.

Domestic elements include providing technical advice:

- to allow the updating of the current annexes provided for in retained organic regulations, such as those concerning permitted non-organic ingredients and inclusion or removal of permitted inputs or substances
- to support any revisions of Great Britain's organic regulations, considering divergence in organic policy and impact on flow of trade between Great Britain and Northern Ireland
- on issues arising that are outside of the Defra organic team's competence
- on the sector as a whole, including trends worldwide, export opportunities, the success or otherwise of attracting new organic farmers or consumers, working with organic retailers and driving sales
- to support preparations for the EU SPS agreement, including assessing impacts on organic production and related control systems related to potential dynamic alignment

International elements include:

- supporting the evaluation of new third country or third country control body applications to determine if recognition should be granted
- supporting the evaluation of third country proposals to extend scope of existing organics agreements and if such extensions should be granted
- supporting the review of annual third country and third country control body reports
- providing advice and analysing trends worldwide, for example production, consumption and regulatory changes

Membership

Members shall be appointed in the capacity of independent experts to provide independent advice and not as direct representatives of a specific commercial interest.

As the group will be formed based on the issue arising and not as a whole group, the group will consist of a pool of up to 15 experts plus a chairperson, covering;

1. Organic regulations
2. Livestock
3. Aquaculture
4. Arable
5. Production
6. Processing
7. Seeds and vegetative material
8. Wider issues, such as imports and exports
9. Wider environmental and animal welfare

Each appointment will last 3 years and may be extended subject to mutual agreement by the member and the FNWG.

Operating procedures

A secretariat shall be maintained by Defra to serve the expert group in the discharge of its functions. Defra shall be responsible for the running costs of the expert group and its work.

Meetings will be organised by the Defra secretariat and the experts will be selected based on the nature of the meeting. The chairperson will attend all meetings. In the case of the absence of the chairperson, Defra shall appoint another person to this role in consultation with members present.

Where possible, meetings using remote communication methods will be used, such as Microsoft Teams.

Minutes of each meeting will be shared with all invited attendees and the FNWG, no later than 2 weeks after the meeting.

Conflict of interest

At each meeting, members will be required to state whether they have any conflict of interest in any of the items under discussion. This means they have a personal or business interest that may influence their judgement (or may be perceived to by a reasonable member of the public). Members may be required to absent themselves if it appears that a conflict of interest may arise. In such cases the chairperson's decision

shall be final, except in cases where the chairperson may be subject to a conflict of interest. In these cases, Defra's decision shall be final.

Special provisions for control body members

To ensure the complete impartiality of the EGOP process, it is necessary to demonstrate that control bodies (CBs) have no influence:

- over the advice given by the EGOP in respect of their own or other control body activities
- in preference to CBs who do not have EGOP membership when discussions take place in areas where the interests of CBs are involved

Therefore, in line with the operation of other advisory bodies (where it is the responsibility of the chairperson to resolve issues of confidentiality and conflict of interest):

1. At any report or discussion concerning the approval or monitoring of a CB, a CB inspector or an operator, all EGOP members who are officials of a CB or are operators registered with a CB leave the meeting. Such members will not normally be circulated with reports or specific questions relating to a specific control body.
2. For any discussion on other matters in which there is a possible conflict of interest, the members who are officials of a CB or are operators registered with a CB must clearly declare their interest. The chairperson of EGOP will either:
 - request all CB members to leave the meeting
 - allow CB members to contribute prior to leaving the meeting
 - allow CB members to be present but not to participate in the discussion
 - allow all CB members full participation

The appropriate course of action will be determined primarily through declaration in advance of meetings based on the draft agenda and before papers are circulated to members. This will ensure that papers are only circulated to appropriate members. These provisions need not prevent points of a general nature arising from examination of reports being disseminated, where appropriate, to all members for consideration.

Outputs

A written recommendation should be provided to Defra within 4 weeks of the expert group meeting and will be included in the next regular meeting of the FNWG. In exceptional cases, shorter timeframes may be agreed between EGOP, Defra and the FNWG.

Members will be expected to provide technical, balanced and evidence-based advice to support decision making for the UK preparations for the EU SPS agreement. This includes assessing impacts on organic production and control systems, and identifying opportunities and challenges.

Transparency

Information about the EGOP will be available on GOV.UK: [Expert Group on Organic Production \(EGOP\) - GOV.UK](#). This will include:

- the role of the group
- details of the chairperson and members of the group
- reports produced by the group
- Defra contact details for the group

Relationships with other parties

The expert group will provide advice to Defra and the devolved governments via the FNWG. All commissions for advice will be requested by Defra via the FNWG. Recommendations will be reviewed and agreed within the FNWG after the expert advice has been provided.

The devolved governments may choose to attend meetings of particular interest, in addition to the Defra-provided secretariat.

Review

An annual meeting and review will be conducted to ensure the scope of this expert group is being met and the pool of experts are appropriate for the advice being sought.

The chairperson will conduct an annual written assessment of the members of the expert group. Defra, in liaison with the FNWG, will conduct an annual written assessment of the chairperson.

These terms of reference may only be altered with the agreement of the FNWG.