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“On Organic Production, Labeling of Organic Products and Their Control”

Newsletter



Law No. 104/2024 “On organic production, labeling of organic products and their control”

The Albanian Parliament approved Law No. 104/2024 “On organic production, labeling of organic products and their control” (the **New Law**), published in the Official Gazette on October 14, 2024.

The New Law came into force 15 days following its publication but will take effect two years thereafter, replacing the current active Law No. 106/2016 “On organic production, labeling of organic products and their control”.

The newly adopted Law is partially harmonized with Regulation (EU) 2018/848 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.

The New Law aims to establish rules for organic production, focusing on the certification process to ensure compliance with its requirements, as well as to set guidelines for labeling, which will serve as an indicator for organic and derived products.

Unlike the current legislation, the New Law ensures the effective operation of the control system and the organic products market. Its primary goal is to strengthen consumer confidence in products labeled as organic, aligning with the latest European regulations.

According to the New Law, all operators or groups involved in organic production must register on “E-Albania,” specifying a controlling body to verify compliance. Upon successful verification, operators receive an official certificate. An exception applies to operators selling unpackaged

organic products directly to consumers, who are exempt from this registration requirement.

Additionally, the New Law establishes the Organic Production Commission as the authority responsible for reviewing complaints regarding administrative measures imposed on operators or groups by the controlling body.

To address ambiguities in the current legislation, the New Law sets out the products and substances permissible in organic production. It also harmonizes the import regime with EU standards, setting clear conditions and measures for importing organic products from EU member states and third countries.

Moreover, the New Law introduces specific administrative offenses and sanctions for organic operators and controlling bodies to prevent the deceptive or fraudulent use of terms related to organic production in labeling or advertising. The sanctions include:

- A written warning;
- An order for the inspection body to correct violations and eliminate their consequences;
- A fine (from ALL 30 000 (thirty thousand) up to ALL 200 000 (two hundred thousand) depending on the severity of the violation).

The controlling body, the operator, or group of operators, subjected to administrative sanctions may file an appeal with the Ministry of Agriculture within 30 calendar days of receiving the sanction notification, following procedures outlined in the Code of Administrative Procedures.

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