FAQ on VLOG certification

A - General

A1. Which businesses are subject to certification according to the “Ohne Gentechnik” Production and Certification Standard?

The “Ohne Gentechnik” Production and Certification Standard (the VLOG Standard for short) is divided into the following parts: General (A), Certification (Z), Logistics (B), Feed Manufacturing (C), Matrix Organisation (D), Agriculture (E), Agricultural Group Organisation (F), Food Manufacturing (G) and Retail (H). The first chapter of Parts B, C, E, G and H defines which activities are subject to certification and which are not.

A2. Which certifications or standards does VLOG recognise as equivalent to a VLOG certification?

You can find a document with all standards regarded as equivalent to the VLOG standard here.

A3. How much does VLOG certification cost?

The costs for VLOG certification depend on the certification body engaged by the business. VLOG does not charge for certification.

A4. May businesses within the European Union (outside Germany) be generally certified according to the VLOG Standard? Which special features have to be taken into consideration?

In principle, businesses in the EU may be certified according to the VLOG Standard because the reliability of feed labelling is ensured by EU Regulations (EC) nos. 1829/2003 and 1830/2003.

However, in the case of certification outside Germany, it is important to note that the audit documents must be submitted to VLOG in German and/or in English. The documents for agricultural operations which are members of a group certification may be submitted in the respective national language. Upon request from VLOG, the documents must be translated by the certification body and submitted to VLOG within five working days.

A5. May food produced from plants for which there is currently no GMO cultivation worldwide (e.g. sunflower oil) be certified and advertised with the “Ohne GenTechnik” seal or would that be “vacuous advertising”?

In the processing sector in particular (here: oil mills/refineries), is the issue is also contamination that can come from other species. Rapeseed/canola oil that was (partially) produced from genetically modified rapeseed/canola or is contaminated by genetically modified rapeseed/canola, for example, is a critical raw material that could cause contamination of “Ohne Gentechnik” sunflower oil.

Due to the risk of contamination, VLOG does not consider the advertising of such food (e.g., sunflower oil) with the “Ohne GenTechnik” to be “vacuous advertising”.

A6. Can individual ingredients in a compound food be marked as “Ohne Gentechnik”?

No. The “Ohne Gentechnik” label always has to refer to the entire product.

A7. May businesses outside of the European Union and/or in third countries be certified according to the VLOG Standard?

Certification according to the VLOG Standard is based on the German EC Genetic Engineering Implementation Act, EGGenTDurchfG, which in turn is based on European Regulations (EC) nos. 1829/2003 and 1830/2003. Therefore, certification outside the EU, where these Regulations do not apply, is generally not permissible.

In certain cases, after consultation with VLOG and in compliance with additional requirements, it may be possible to certify businesses in countries outside the European Union.

A8. In the event of longer minimum feeding conversion periods for organic (dairy animals), may the goods, once the minimum feeding conversion period specified in the EGGenTDurchfG has been complied with, already be used as “Ohne Gentechnik” products? Is a special VLOG audit required in this case?

No special VLOG audit is necessary in this case if the following conditions are met:

• An organic audit has already been carried out within the minimum feeding conversion period. • The organic certification body has confirmed the starting date of the conversion period in writing.

Z - Certification

Z1. What are the procedures if the business to be certified has not concluded a Standard Usage Agreement with VLOG?

In general, whether a valid Standard Usage Agreement has been concluded with VLOG must be checked

during the audit. If this is not the case, this must be remedied by concluding an agreement and submitting it to the certification body. The VLOG certificate may not be issued until then.

Z2. Must the certification body conduct an audit if VLOG production is ended or the auditing contract is terminated?

If the auditing contract is terminated with effect before the end of the certificate validity period or at the end of the certificate validity period, a final (routine) audit is generally not carried out in the last year of validity of the VLOG certificate. The certification body is still authorised to carry out an audit on suspicion if there are concrete reasons for suspicion against the company until the termination takes effect.

If the auditing contract is terminated with an effective date prior to the end of the certificate validity period, the competent certification body must withdraw the VLOG certificate as of that date (cf. chapter Z 4.5).

Z3. Is a traceability test required during the certification audit?

No, such a test is not mandatory. However, many auditors carry out such a test because this is a way of checking the requirements for product tracking in the business. If a traceability test or complete quantitative balancing is too time-consuming, the auditor may also alternatively decide to conduct a spot-check test.

Z4. What is the correct procedure if one of the sites of a multi-site business receives a KO (knock-out grade)?

It must be assessed whether the problem is site-specific or systemic. In case of a systemic problem (for example in risk management), the KO can influence the certification of other sites and lead to a KO for the whole company.

Z5. What happens when a business has already been successfully certified but the certificate has not yet been submitted? Is the certificate already considered submitted provisionally until the official documents has been issued and sent to the business?

“Ohne Gentechnik” and/or “VLOG geprüft” production may start once VLOG receives confirmation by email from the certifier indicating that, based on the audit result, a certificate can be issued.

Z6. If a company has several production sites, does the certification body issue one certificate for the whole company or an individual certificate for each site?

Both methods are possible. Either, one certificate can be issued for the whole company (containing the VLOG ID of the company and listing all sites with their sub-IDs), or each site can receive its own certificate (containing the VLOG ID and its individual sub-ID).

Z7. Instead of containing the scope of application (e.g. “compound feed” or “sliced cheese”), may the product-specific information be mentioned on the certificate (e.g. brand name of the feed/food)?

The VLOG certificate may only provide information regarding the scope of application (cf. Annex 11). However, reference may be made to an annex containing product-specific information.

Z8. May a VLOG audit be conducted during the minimum feeding conversion period or only at the end of it?

The audit may also be carried out during the mandatory minimum feeding conversion period.

Z9. Is a certificate specific to one product or may product groups also be certified?

Product groups as well as individual products (such as production on selected production lines) may be certified. The scopes of application defined in the VLOG Standard (cf. Annex 12) must be taken into consideration in this case and listed on the certificate or in its annex.

Z10. Is it possible to adapt the VLOG audit interval for QS-certified drop shippers, grinding and/or mixing facilities or animal transporters and livestock dealers to the QS audit interval after the VLOG certificate has been issued? In the event of the suspension or revocation of the QS certificate: Must the affected business’ VLOG certificate be cancelled or are the certificate validity periods of the VLOG certificate to be adjusted if the VLOG certificate validity period was extended based on the QS certification? When does a new audit have to take place?

Adjustment of the audit interval:

Upon the business’ request, the certification body can appropriately extend the validity period of the existing VLOG certificate even after the issue of the certificate.

Suspension/revocation of QS certification:

Case 1 - QS VLOG “Ohne Gentechnik/ VLOG geprüft“ add-on module: With cancellation of the QS certificate, the concerned business’ VLOG certificate and/or the QS VLOG “Ohne Gentechnik/ VLOG geprüft” add-on module will also be cancelled . Products may be marketed as “Ohne Gentechnik” and/or “VLOG geprüft” only when a QS certification with the VLOG add-on module and a new VLOG certificate have again been issued.

Case 2 - Own VLOG certification: If the business' QS certificate is cancelled, VLOG certification may be maintained if all conditions are fulfilled. If the validity period of the VLOG certificate was extended through QS certification, a new VLOG certificate with shortened validity period must be issued, unless the QS certificate is re-issued within one month. With a new issue of the VLOG certificate, the validity period is adjusted in accordance with the VLOG Standard.

If, when a new certificate is issued, it is noticed that the validity period has already been exceeded, a VLOG audit is to be undertaken immediately in order to maintain certification.

Z11. In the case of agricultural group certification, what is the allowable maximum period of time between the first audit of an agricultural group member and the issue of the certificate for the VLOG agricultural group?

There is no time limit in the VLOG Standard and it is not determined in which order businesses have to be audited.

B - Logistics

B1. How is the labelling and the incoming goods inspection performed for bulk VLOG-certified feed material that was converted by a drop shipper into "VLOG geprüft" quality?

This is explained below, based on the example of rapeseed/canola meal:

An agricultural business orders VLOG-certified rapeseed/canola meal from a trader. If the trader obtains the rapeseed/canola meal from a non-VLOG-certified oil mill and converts it as a drop shipper into "VLOG geprüft" quality, the rapeseed/canola meal is transported directly from the oil mill to the agricultural business. The drop shipper does not have any direct contact with the rapeseed/canola meal nor does he make any entry on the delivery slip, so that the rapeseed/canola meal arrives without being identified as "VLOG geprüft" on the delivery slip. It is thus not possible for the agricultural business to perform the incoming goods inspection by checking the delivery slip for the "VLOG geprüft" designation according to the VLOG Standard.

In this case, the following exception applies:

According to Section B 6.1 of the VLOG Standard, the converting drop shipper is in possession of written confirmation from the supplier attesting no later than at the conclusion of the purchase agreement that the goods, as they are free from GMOs, are not subject to compulsory labelling. The procedure, as outlined below, differs depending on whether the confirmation is for specific batches or for a certain time period:

1. Batch-specific confirmation

The supplier confirmation is to be supplemented in writing (no form available) by the drop shipper by the following points and must be forwarded to the agricultural business immediately:

• “VLOG geprüft” label • Company name, address and telephone number/email of the drop shipper or contact person • Company name and address of the customer or agricultural business

2. Confirmation for a certain time period

The drop shipper must forward the supplier confirmation to the customer/agricultural business no later than at the time of first delivery.

For every delivery of feed converted into “VLOG geprüft” quality, the drop shipper must immediately send the following information in writing (no form available) to the customer:

• Designation of the purchased feed(s)/trading name(s) • Delivered quantity and date • Unambiguous labelling with batch or lot number • “VLOG geprüft” label • Company name and address of the supplier • Company name, address and telephone number/email of drop shipper, or contact person • Company name and address of the customer/agricultural business

Preferably, the confirmation and information are sent to the customer via email or fax, since the customer must have them by the time of delivery for incoming goods inspection.

Incoming goods inspection of the delivered batch(es) is performed by the agricultural business based on the specified documents. This process is to be demonstrated to the certification body during an audit.

B2. A company sells bulk feed/products to a customer. Part of the customer’s group is a company that issue the invoice for the product. Does this company also have to be certified to maintain the certification status of the feed/product?

If the contract of sale and the execution (incl. issuing of delivery slip and checking of the certificate) occur directly between the certified company and its customer and only the issuing of invoices is outsourced to this third party, this party does not have to be VLOG-certified.

B3. What are specific examples of exceptions from the certification obligation under B1 for drop shipping in the milk sector?

Example 1: A non-VLOG-certified dairy (drop shipper) sells milk from VLOG-certified farmers (whether individually certified or certified via a group organiser (e.g. a producer group)) to a VLOG-certified dairy.

-> The selling dairy is not subject to certification obligation for drop shipping if all requirements for drop shipping with purchase from farmers in chapter B 1 of the VLOG Standard have been met. However, if one or more requirements are not met, the selling dairy is subject to certification obligation.

Example 2: A dairy trader sells the milk of one VLOG-certified dairy to another. The dairy trader does not take physical possession of the goods and has one of the two dairies transport the milk.

-> The dairy trader is not subject to certification obligation if all the requirements of B 1 regarding the

exception provision are met. However, if one or more requirements are not met, the dairy trader is subject to certification obligation.

Example 3: A non-VLOG-certified producer group (drop shipper) sells VLOG milk from individually certified VLOG farmers to a dairy. The dairy transports the milk.

-> The producer group is not subject to certification obligation for drop shipping if all the requirements for drop shipping with collection from farmers in B 1 are met. However, if one or more requirements are not met, the producer group is subject to a certification obligation.

B4. Does transport businesses with a GMP+ B4/TS 1.9 or QS certification for transport additionally need a VLOG certification in the stage Logistics, sub-stage Transport for the transport of VLOG-certified feed or food?

No, an additional VLOG certification is not required for these transport business. The certification according to GMP+ B4/TS 1.9 and QS, together with other transport certifications, are recognised as equivalent by VLOG. Thus bulk VLOG-certified feed or food may also be transported. A respective overview can be found in the VLOG document "Standards recognised as equivalent by VLOG".

Note: This recognition is limited to the logistics sub-stage Transport and does not apply to Trade, Drop shipping, Storage and Handling (cf. VLOG Standard chapter B1).

C - Feed Manufacturing

C1. Which feeds are graded as at risk by the feed company?

Feed businesses are obligated according to the VLOG Standard to carry out an individual risk assessment of the raw materials/single component feed used (risk-prone/not at risk) for purposes of “VLOG geprüft” production or labelling.

The assessment is to be based on the following three points:

• Checking of documentation status • Assessing the origin of the feed • Considering the packaging, transportation, storage and processing

Additional information may be found here: Assessment aid – Risk-Prone Feed

C3. Which measures must businesses take to protect their VLOG production when purchasing/importing risk-prone feed which cannot be tested for GMO components with conventional testing methods because the products have been heavily processed (e.g. oils)?

It is recommended that the following measures be taken:

• Secure proof of the origin of the products and that they are not subject to compulsory labelling under Regulations (EC) 1829/2003 and 1830/2003 by obtaining a written confirmation from the supplier, particularly if the goods do not originate in the EU • Request the test results for testable source products from the

producer • Inform the supplier of the obligation to label products containing GMOs in the EU and emphasise the importance of proper labelling to “VLOG geprüft” production

C4. Which feed can be tested for GMO?

The VLOG Assessment Aid for Suitability of Testing for GMO provides an overview of feed that can be tested for GMO or not. The responsible analysis laboratory must also be consulted about the analysability of feed.

Grinding and Mixing Facilities

C5. Do mobile grinding and/or mixing facilities have to be certified for use in VLOG-production?

No, there is no certification obligation unless the facility operator wants to label grinded/mixed feed as “VLOG mixture”. However, the certification of the grinding and/or mixing facility influences the grading of VLOG-certified agricultural business into the risk categories from 0 to 2.

C6. Are feed mixers considered mobile grinding and/or mixing facilities in terms of the VLOG Standard?

No, feed mixing vehicles that are used, e.g., for feeding with silage and concentrated feed are not mobile grinding and/or mixing facilities in terms of the VLOG Standard, as they are used only for dry feed components such as grain.

C7. Do the components of the mixture have to be stated on every mixing protocol or is it sufficient to have a documented mixing instruction in place?

If the same mixtures are regularly produced in a farm’s mixing facility, it is sufficient to have a (digital) recorded mixing instruction, provided it is possible to prove that each single mixture can be clearly associated with the instruction. In case the single mixture differs from the instruction, this change has to be documented on the mixing protocol/delivery slip (e.g. “today 300 kg instead of 400 kg wheat have been used”).

C8. What should the written sampling permission look like, which is issued to the operator of the VLOG-certified mobile grinding and/or mixing facility by the agricultural business? (cf. chapter C 4.4.1 & E 4.10.2.1)

There is no template for this permission. It can be created as informally. The consent must clearly explain which parties it concerns.

The permission must be submitted to the facility operator.

The following wording can be used: “I/We, [name and address of the farm] allow the company, [name, address of the grinding and mixing facility], to take samples from “VLOG mixtures”, which have been ground and mixed by the company. These samples may be tested for GMOs in a laboratory.”

C9. Is it necessary to take samples from adjuvant oils used for dust prevention?

Refined oil can’t be tested for GMO. Therefore, the farmer or operator of grinding and/or mixing facilities does not need to take (retention) samples.

E - Agriculture

E1. Which requirements must non-VLOG-certified plant-based foods (e.g. bread) fulfil to be used as animal feed (e.g. in pig fattening)?

The food must not be subject to compulsory labelling under EU Regulations nos. 1829/2003 and 1830/2003. Therefore, at incoming goods inspaction, the farmer must check for the absence of a label.

E2. Which requirements must feed fulfil to be used in VLOG-production?

Feed must not be subject to compulsory labelling according to Regulations (EC) No. 1829/2003 and/or No. 1830/2003. All VLOG-certified feeds, or feeds with certification recognised as equivalent to VLOG, must meet this criterion and may be used for the production of “Ohne Gentechnik” food.

E3. May feed that contains components of animal origin that does not fulfil the requirements of the EGGenTDurchfG (e.g., minimum feeding conversion periods) be used for VLOG production?

For feed, the labelling obligation pursuant to EU Regulations No. 1829/2003 resp. 1830/2003 is relevant. Products from animals that have been fed with GMO feed or the respective processed products are not subject to compulsory labelling pursuant to the regulations mentioned. Such products of animal origin may therefore be used as feed or in the production of VLOG-certified feed. They include, for example, skim milk powder, milk powder but also processed animal proteins (e.g. animal meal).

E5. Can a farmer that uses a mobile grinding and/or mixing facility that is certified organic be classified in risk category 0?

This depends on the certification of the feed that the farmer orders to be mixed/ground in the facility. If only feed that is certified organic is processed in the grinding and/or mixing facility, no additional VLOG-

certification of the facility is necessary to be graded into risk category 0. If the feed is not certified organic, VLOG certification of the facility is necessary to let the farmer reach risk category 0. Otherwise, the farmer is graded into risk category 1.

(Requirement: No other criteria warrant classification in a higher risk category.)

E6. According to the EGGenTDurchfG, the conversion period for beef is “twelve months, and in any case at least three-quarters of their life.” How is this regulation applied in practice?

The starting point is the age of the animal at the beginning of the conversion period.

Example: The cow is already 2.5 years (30 months) old at the time of conversion to “ohne Gentechnik” conform feeding. The meat/animal can be marketed labelled as “Ohne Gentechnik” from the age of 10 years.

E7. A supplier delivers not risk prone feed (e.g., wheat, mineral feed) to a farmer. Do the supplier and feed have to be VLOG-certified for the farmer to be in risk category 0?

No. The labelling exemption pursuant to EU Regulations 1829/2003 and 1830/2003 is sufficient for feed that is not potentially risk-prone.

Please note the additional classification criteria in chapter E 2.

Do product-specific labels that are found on feed sacks, for example, need to be saved or is the delivery slip sufficient?

The document on which the feed is declared is relevant. Often, that is the delivery slip. However, if the ingredients are NOT listed on the delivery slip and there is no separate declaration, the farmer must save BOTH the labelled feed sack and the delivery slip.

E9. A supplier delivers not risk prone feed (e.g., wheat, mineral feed) to a farmer. Do the supplier and feed have to be VLOG-certified for the farmer to be in risk category 0?

No. The labelling exemption pursuant to EU Regulations 1829/2003 and 1830/2003 is sufficient for feed that is not potentially risk-prone.

Please note the additional criteria for risk grading in chapter E 2.

E12. Which feed, raw materials and products can be tested for GMO?

The VLOG Assessment Aid for Suitability of Testing for GMO provides an overview of feed, raw materials and products that can be tested for GMO or not. The responsible analysis laboratory must also be consulted about the analysability of feed and raw materials.

F - Group Organisation Agriculture

F1. Can the certification body be the group organiser?

No, a certification body must not be the group organiser of a group that it audits. This would compromise the independence of the auditing process.

F2. Can a business with individual certification be admitted into a VLOG-group?

Yes, a business with individual certification can be admitted to a group organisation in compliance with the following points:

• Certification must be transferred to the new certification body if necessary: The certification bodies must exchange the relevant audit documents/data (see VLOG Standard Part Z). The contract with the former certification body must be cancelled. • The group organiser and any new certification body will admit the business to the group (contract between the group organiser and the facility, review of the documents and the risk category, incorporation into risk management, inclusion in the members' list, etc.) • The business must terminate its Standard Usage Agreement with VLOG (notice to info@ohnegentechnik.org indicating that the business will be a member of Group XY in the future)

After successful transfer of all data, the certification body will decide whether to recognise the last audit of the business for the group certification audit.

G - Food Manufacturing/Preparation

G1. What does a GMO-free certificate (Annex 1) have to look like?

As of January 1st 2019, only Annex 1 (GVO-free certificate) is admissible for VLOG certification.

G2. What happens if a supplier is not willing to fill out the GMO-free certificate (Annex 1)? Is it also possible for the customer (e.g. food manufacturer) to fill out the GMO-free certificates by himself?

The use of Annex 1 is obligatory; since January 1st 2019, informal declarations are no longer accepted. If the certificate is not filled out by the supplier, it may be filled out by the business itself. This can only be done based on GMO test results, a risk assessment or similar.

G3. Does the manufacturer of dye products for dyed eggs also have to be certified?

For dyed eggs, the EGGenTDurchfG not only contains requirements for the eggs, but also for the dye.

For the dye, at least one GVO-free certificate (Annex 1 of the VLOG Standards) must be submitted by the dye supplier, confirming that the criteria of the EGGenTDurchfG were complied with. If these provisions are fulfilled, VLOG holds that the dye factory does not have to be certified.

G4. May a slaughterhouse use the same scalding water to process “VLOG” animals and not “ohne Gentechnik”-conform animals? May a dairy operator use the same saline bath to process “VLOG”/”Ohne GenTechnik” cheese and not “ohne Gentechnik”-conform cheese?

Provided that no parts of the water used for scalding the non-conform meat (e.g., fat) enter the “VLOG” meat and no parts of the saline bath of the non-conform cheese enter the “VLOG” cheese, the scalding water and the saline bath may be used for both qualities.

G5. May a manufacturer of raw materials of animal origin (e.g. dairy) be certified if not all suppliers have converted and separation of the suppliers is not possible at the plant?

No, under these circumstances, the manufacturer cannot be certified. All raw materials must comply with VLOG requirements.

G6. What happens to “Ohne GenTechnik” food of animal origin if it is found later that the feed should have been labelled as genetically modified?

Legislators have taken measures to significantly reduce the liability risk in this case. It is not legally mandatory to recall goods already produced. The EU Genetic Engineering Implementation Act (EGGenTDurchfG), which provides the legal basis for “Ohne Gentechnik” labelling, states as follows in Sec. 3a, (4):

“In case of food or food ingredients of animal origin, the animal which is processed into food must not have been given feed which is marked pursuant to Articles 24 and 25 of the EU Directive 1829/2003 or Articles 4 or 5 of the EU Directive 1830/2003…”

Quite deliberately, the wording refers to the actual state of the declaration of feed at the moment of feeding the animals and not how the feed should have been labelled. Even if it turns out later that the feed should have been declared, the milk, the eggs and the meat are considered produced in conformity with the EGGenTDurchfG and may be marketed with the “Ohne Gentechnik” label.

Of course, incorrectly declared feed still available must not be used further for “Ohne Gentechnik” production.

G7. A processing facility in risk category 2 that produces “VLOG” cheese must conduct 12 tests per year according to the VLOG Standard. The risk assessment reveals that the paprika extract used in the cheese is the only at-risk raw material that can be tested for GMO. Does the paprika extract have to be analysed 12 times per year?

The business has to spread the 12 analyses among all at-risk raw material that can be tested for GMO. If only the paprika extract is concerned, that has to be analysed.

The number of samples can only be reduced if the number of batches received in the audit period is smaller than the minimum number of samples of 12 (e.g. 5 batches = 5 analyses). Sampling and GMO-testing can also be reduced if the raw material and products are not at risk. In this case, a corresponding risk analysis must be available.

G8. Must the VLOG label be affixed to the outer packaging of the advertised article?

If the products are clearly labelled as “Ohne Gentechnik”, a label on the outer packaging is not compulsory.

The identifiability/separation may also be ensured by the following measures, for example:

• Unique product number which is attributed to “Ohne Gentechnik” quality in the EDP system • Pallet identification as “Ohne GenTechnik” • Defined pallet colour as “Ohne Gentechnik”/”VLOG”.

G9. May genetically modified microorganisms such as bacteria and yeasts be used for the production of vitamins, aromas or enzymes for “Ohne Gentechnik” food?

The absence of GMOs from “Ohne Gentechnik” food also extends to bacteria and yeasts that produce additives such as enzymes, aromas and vitamins. E.g., the rennet enzyme for the production of cheese may not stem from genetically modified bacteria.

G10. What are the requirements for rennet?

Natural rennet can be used for the production of “Ohne Gentechnik” food if the animals from which the rennet stems were not genetically modified. It is irrelevant what the animals were fed.

(More specifically: The requirements for feeding animals only applies to ingredients (Sec. 3 a Par. 4 EGGenTDurchfG). According to food law, rennet is not an ingredient because it is used as a processing aid. However, the prohibition of the use of substances created using GMOs applies (Sec. 3 a Par. 5 EGGenTDurchfG). A substance is produced using GMOs if the last living organism in the manufacturing process – In the case of natural rennet it is the calf – was genetically modified.

However, production “by GMOs” is relevant with respect to microbial rennet (i.e. rennet produced by bacteria). In this case, a GMO-free certificate (Annex 1) is necessary for use in “Ohne Gentechnik” products.

G11. What measures should businesses take to protect their VLOG production when purchasing/importing risk-prone food ingredients which cannot be tested for GMO components with conventional testing methods because the products have been heavily processed (e.g. oils)?

The following measures must be taken by affected businesses operating in the “Ohne Gentechnik” sector:

• Obtain proof of the origin of the products and ensure that they are not subject to compulsory labelling under Regulations (EC) 1829/2003 and 1830/2003 by obtaining a written confirmation from the supplier, particularly if the goods do not originate in the EU (different labelling provisions) • Request test results for testable source products from the producer with a maximum threshold value of 0.1 % GMOs approved in the EU • Inform the supplier of the obligation to label products containing GMOs in the EU and emphasise the importance of proper labelling for “Ohne Gentechnik” production

G12. How far can “back to the last organism capable of reproduction” go in practice?

According to the EGGenTDurchfG, the definition of the extent of review back to the last organism capable of reproduction (pursuant to Regulation (EU) 2018/848), refers only to production “by GMOs” and not “from GMOs”.

In practice, that would mean, for example:

1. Example: Dextrose that is prepared microbially may not be produced using GM microorganisms. The nutrient solution in which the microorganisms were grown, however, is no longer taken into account when considering the question of being GMO-free. 2. Example: Maltodextrin is produced using enzymes that were synthesised using GM microorganisms. Maltodextrin, which is used as a carrier for aromas, for example, was thus produced “by GMOs” and is thus not conform with the EGGenTDurchfG or the VLOG Standard. 3. Example: Ethanol, which is used as the carrier of an aroma and is produced from GM corn, for example, would be compliant with the regulations of the EGGenTDurchfG. According to the VLOG Standard, the source material (here corn) must however not have been subject to compulsory labelling pursuant to Regulations (EC) 1829/2003 and 1830/2003.

G13. May the InfoXgen declaration be regarded as a recognised equivalent to the GMO-free certificate (Annex 1)?

The criteria in the Codex Guidelines and those in the EGGenTDurchfG are not identical. The EGGenTDurchfG excludes carryovers with GMOs that are above the limit of detection of 0.1% per component. The Codex Guidelines do not regulate this in detail.

Food of plant origin produced in Germany according to the VLOG Standard for sale using the Austrian “Ohne Gentechnik hergestellt” seal can be recognised if there is a warranty declaration, such as the InfoXgen form or a certificate according to the VLOG Standard, for food or food ingredients that require no certification under the Codex Guidelines.

The same applies to the recognition of food ingredients of plant origin which were produced in Germany according to the VLOG Standard for use in “Ohne Gentechnik produced” food as long as the same proofs are available for these food ingredients.

Food of plant origin produced in Austria under the Codex Guidelines for sale using the German “Ohne GenTechnik” seal or food ingredients of plant origin produced in Austria under the Codex Guidelines for use in “Ohne GenTechnik” food can be recognised if there is a GMO-free certificate according to Annex 1 of the VLOG Standard in its currently valid version for food or food ingredients that do not require certification according to the VLOG Standard. In this case, an InfoXgen certificate is not sufficient. As an alternative to the GMO-free certificate, verified proof from a certification body recognised by ARGE Gentechnik-frei can be submitted, which confirms that the requirements of the EGGenTDurchfG were met in the production of the product.

G14. Do mineral raw materials (e.g., sodium chloride) have to be certified for use in “Ohne Gentechnik” products?

Pursuant to the VLOG Standard, there is no certification duty for producers of inorganic products (e.g. sodium chloride).

Businesses that wish to use ingredients not of animal origin (including mineral raw materials) in “Ohne Gentechnik” food need a GMO-free certificate (Annex 1) for the relevant raw materials.

G15. Which raw material and products can be tested for GMO?

The VLOG Assessment Aid for Suitability of Testing for GMO provides an overview of raw materials and products that can be tested for GMO. The responsible analysis laboratory is also to be consulted about the analysability of feed and raw materials.

H - Retail Stage – Sale of Bulk Food of Animal Origin

H1. Does the list of suppliers have to be on file at the branches?

If the goods management system ensures that branches can only order bulk goods of “Ohne Gentechnik” quality from VLOG-approved suppliers, it is sufficient for the supplier list to be available only at headquarters.

Otherwise, the supplier list must be available in every branch.

H2. Is it possible to label cheese that is cut and prepacked at food retailers with the “Ohne GenTechnik” seal?

If VLOG-certified cheese is cut, prepacked and labelled with the “Ohne GenTechnik” seal at food retailers, this is permissible using one of the two following options, while complying with the stated requirements:

Use of the “Ohne GenTechnik” seal on decorative labels

The “Ohne GenTechnik” seal is presented on decorative labels, which are supplied to the stores by the VLOG-certified cheese manufacturer.

Requirements to be fulfilled by the manufacturer:

• These decorative labels are the responsibility of the cheese manufacturer and also specify the cheese brand/cheese manufacturer aside from the “OhneGenTechnik” seal, thus clearly attributing each label to the prepacked cheese and the information on the scale label. • The manufacturer specifies the VLOG quality of the cheese in the (digital) specification for the cheese. • The manufacturer informs VLOG of the first time the “Ohne GenTechnik” seal is used on decorative labels for cheese.

Recommendations for the manufacturer:

• VLOG recommends that the manufacturer label the VLOG-certified cheese itself or the outer packaging as “VLOG” or “Ohne Gentechnik” (e.g. envelope film, cheese sticker, film label, label on cardboard). • To prevent improper labelling, VLOG recommends that the manufacturer inform the workers at the food retailer of the correct use of the decorative labels and their attribution to the various types and varieties of cheese.

Use of the “Ohne GenTechnik” seal on scale labels

The “Ohne GenTechnik” seal is presented on labels for which the food retailer is responsible (e.g. scale label).

Requirements to be fulfilled by the food retailer:

• The food retailer, or respectively, the relevant stores, are certified according to the VLOG Standard Stage G Food Processing and Stage H – Retail.