EFI

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Coverage by Organic of EUDR-relevant legal requirements: Coffee from Peru

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Introduction

The table below presents an analysis of the coverage provided by the Organic standard compared with the relevant legal requirements of the legal due diligence tool for coffee produced in Perú. The analysis was carried out by the Technical Facility on Deforestation-free Value Chains, managed by the European Forest Institute (EFI), through a desk-based exercise involving a review of the certification scheme's publicly available documentation.

The Organic standard (European Union Regulation on Organic Production) was selected due to Peru's prominent position in this market. The country is one of the world's leading producers and exporters of Organic coffee, with approximately 90,000 hectares certified, and its leadership has been consistently recognised in the USDA FAS Annual Reports (2023–2025). Furthermore, Peru is one of the main suppliers of Organic coffee to the European market, which highlights the importance of this certification for market access and competitiveness within the European Union.

EU Organic certification is a scheme regulated by Regulation (EU) 2018/848, which sets out standards for the agricultural production, processing and marketing of organic products. Its requirements include a ban on synthetic agrochemicals, sustainable soil management, the protection of biodiversity, full product traceability and compliance with official controls carried out by authorised certification bodies.

Certified operators must undergo regular inspections, at least once a year, and additional unannounced checks designed to ensure the integrity of the system and ongoing compliance with the regulations.

Scope and Limitations of the Comparative Tables

Certification schemes can provide useful information to support the due diligence required by the EUDR. However, certification does not replace operators' due diligence obligations. Operators must be able to justify why and how the information provided by a particular certification scheme contributes to compliance with the EUDR's requirements and assess whether it is sufficient and reliable, taking into account the specific characteristics and risks of their supply chains. To this end, the following elements, amongst others, should be considered:

Coverage of legal requirements: these tables analyse the extent to which the requirements of certain certification schemes cover the relevant legal requirements identified in the legal due diligence tool for Coffee produced in Peru. The assessment does not, in itself, imply that effective compliance with the legislation has been verified.

Robustness of the certification scheme: this aspect is not assessed in these tables. Operators should consider, amongst other factors, the scope of the certification, including the actors in the value chain and the products covered; the governance of the scheme and its internal procedures for review and updating; the mechanisms for the accreditation and supervision of certification bodies; the qualifications and independence of auditors; the methodology and frequency of audits; mechanisms for identifying, managing and addressing non-compliance; and measures designed to ensure impartiality and prevent conflicts of interest.

Traceability and risk of mixing: the tables also do not assess the traceability systems used by certification schemes or the existence of adequate mechanisms to prevent the mixing or substitution of certified products with non-certified products. These aspects must be assessed separately by the operator, taking into account the applicable chain-of-custody model and the specific characteristics of the supply chain.

Furthermore, the tables focus exclusively on compliance with the relevant legal requirements identified in the legal due diligence tool. They do not assess compliance with the requirement that products must be deforestation-free, which constitutes a separate obligation under the EUDR and which may also be fully or partially covered by certain certification schemes.

Consequently, the results of these tables do not constitute a general validation of the certification scheme, nor do they automatically allow the conclusion that certified products comply with the EUDR. The relevance and reliability of certification as supplementary information must be assessed on a case-by-case.

Certification Organic	Commodity Coffee	Country Peru	
Areas of Law	**Coverage**	**Reference**	**Comments**
1. Land-use Rights			
1.1. Individual land tenure is established through individual private ownership and/or possession (regular or irregular).	**None**	**N/A**	*The Organic standard regulates production methods, not land tenure. It does not require proof of any title, lease or right to use the land.*
1.2. A farmer who is not the owner or possessor of the land may exercise rights of use through verbal or written contracts of lease, loan, assignment of use, or concession.	**None**	**N/A**	*The Organic standard regulates production methods, not contractual arrangements over land. It contains no provisions on lease, usufruct or other contractual rights to use private land.*
1.3. In rural communities, collective tenure is exercised through ownership or, in the case of forest land, through a concession title granted by the competent authority.	**None**	**N/A**	*The Organic standard regulates production methods, not land tenure. It makes no distinction between individual and collective tenure and contains no provisions on the collective rights of peasant communities.*
1.4. A farmer producing on the land of peasant or native communities does so through agreements with the community.	**None**	**N/A**	*The standard contains no provisions on communal agreements for the use of land belonging to peasant or native communities by individual members.*

2. Environmental Protection			
2.1. Agricultural or agroforestry activity carried out within a Natural Protected Area (ANP) takes place within an authorised zone, is subject to a Conservation Agreement, and is conducted in accordance with the ANP's Master Plan.	**None**	**N/A**	*The standard contains no provisions relating to agricultural activity in natural protected areas and does not require verification that the plot is located outside such areas or holds the relevant authorisation.*
2.2. Agroforestry activity carried out on land classified as forest-suitable or protected land complies with the terms of the enabling title authorising agroforestry activities.	**None**	**N/A**	*The standard contains no provisions on enabling titles for agroforestry activity on forest-suitable or protection land, nor on compliance with the conditions established by the competent authority.*
2.3. The producer uses only authorised agrochemicals, following established good practices and technical procedures.	**Complete**	**Article 9(3):** For the purposes and uses referred to in Articles 24 and 25 and in Annex II, only products and substances that have been authorised pursuant to those provisions may be used in organic production, provided that their use in non-organic production has also been authorised in accordance with the relevant provisions of Union law and, where applicable, in accordance with national provisions based on Union law. The following products and substances referred to in Article 2(3) of Regulation (EC) No 1107/2009 shall be allowed for use in organic production, provided that they are authorised pursuant to that Regulation: (a) safeners, synergists and co-formulants as components of plant protection products; (b) adjuvants that are to be mixed with plant protection products. The use in organic production of products and substances for purposes other than those covered by this Regulation shall be allowed, provided that their use complies with the principles laid down in Chapter II.	*The Organic standard prohibits synthetic chemical pesticides and mineral nitrogen fertilisers, establishing a more stringent regime than national authorisation requirements.* *Only substances listed in Annex II of the EU Organic Regulation may be used, subject to strict conditions.*

2.4. The use of water for irrigation requires a licence or water-use permit under applicable national law.	**None**	**N/A**	*The standard contains no provisions on licences or permits for water use for irrigation.*
2.5. Agricultural activity is not carried out in riparian buffer zone.	**None**	**Article 5(c):** the responsible use of energy and natural resources, such as water, soil, organic matter and air;	*The standard does not establish minimum distances from watercourses and does not require verification that riparian buffer zones are respected in accordance with national law.*
2.6. Agricultural activity does not result in discharges into water sources or, if it does, has the relevant authorisations (coffee sector only).	**None**	**Article 5(c):** the responsible use of energy and natural resources, such as water, soil, organic matter and air;	*The standard does not require discharge permits nor does it verify that agricultural activity does not result in discharges into water bodies in accordance with the national legislation.* *It promotes the responsible use of water as a general principle (Art. 5(c)) but does not verify the legality of such use or discharge.*
2.7. Producers properly manage solid waste generated in the production area in accordance with applicable legal obligations. Disused packaging and pesticides are disposed of in compliance with current regulations.	**None**	**Article 5(c):** the responsible use of energy and natural resources, such as water, soil, organic matter and air;	*The standard does not require discharge authorisations and does not verify that agricultural activity generates no discharges into water sources in accordance with national law.*

2.10. The conversion of privately owned land classified as suitable for clean or permanent cultivation is carried out within the timeframes and conditions established by the legal framework.	**Complete**	**Article 6(a):** the maintenance and enhancement of soil life and natural soil fertility, soil stability, soil water retention and soil biodiversity, preventing and combating loss of soil organic matter, soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;	*The standard contains no provisions on the classification, characterisation or disposal of solid waste generated in the production area.*
2.11. The conversion of public domain land classified as suitable for clean or permanent cultivation is carried out within the timeframes and conditions established by the legal framework.	**None**	**N/A**	*The Organic standard establishes specific and demanding requirements for soil conservation and improvement.* *Article 6 requires the maintenance and improvement of natural soil life, fertility, stability, water retention capacity and biodiversity. These requirements cover and exceed the obligation to comply with soil environmental quality standards.*
2.12. Agricultural activity is carried out with an approved Environmental Management Instrument where required by law.	**None**	**N/A**	*The standard contains no provisions on the statutory timeframes or conditions for the conversion of privately owned land classified as suitable for clean or permanent cultivation.*
2.13. Agricultural activity does not contravene the protection of threatened species or the conservation of biodiversity	**Complete**	Article 4(c): contributing to a high level of biodiversity; Article 6(d): the maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or heterogeneous material resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests;	*The standard contains no provisions on the conversion of public domain land classified as suitable for clean or permanent cultivation or on the enabling titles required by the competent authority.*

3. Third-party Rights			
3.1 Agricultural activity respects the protection of cultural heritage and is carried out in a manner that preserves sites from the pre-Hispanic, viceregal, republican and contemporary periods	**None**	**N/A**	*The standard contains no provisions relating to the identification or protection of sites of cultural, archaeological, historical or religious importance to indigenous communities.*
3.3 Where agricultural activity requires an Environmental Management Instrument (see 2.12), this must be accessible and made public	**None**	**N/A**	*The standard does not require an environmental management instrument and therefore contains no provisions on its accessibility or public availability.*
3.4 If agricultural activity causes environmental damage or harm, the producer must demonstrate that they have taken measures to compensate, indemnify or restore the environment.	**None**	**N/A**	*The standard contains no provisions on the right of third parties to claim full reparation, compensation or restoration for harm or damage caused by agricultural activity.*
4. Labour Law			
4.1 Workers employed on the farm carry out their work under a permanent employment contract or a contract of a specific type, in accordance with the conditions stipulated by law.	**None**	**N/A**	*The Organic standard contains no provisions on employment relationships.*
4.2 Workers do not exceed the working hours established by law	**None**	**N/A**	*The standard contains no provisions on maximum working hours or rest periods for workers.*
4.3 Workers' wages must not be lower than the statutory minimum	**None**	**N/A**	*The standard contains no provisions on worker remuneration or*

			compliance with the legal minimum wage.
4.4 Agricultural workers have access to healthcare services and the employer must provide them with life insurance.	**None**	**N/A**	*The standard contains no provisions on access to health services or life insurance for workers.*
4.5 The employer is responsible for the health and safety of its employees and for ensuring that the working environment and conditions are safe	**None**	**N/A**	*The standard contains no provisions on health and safety conditions at work.*
4.6 For equal abilities and working conditions, there is no discrimination between workers on the basis of gender, race, religion, nationality or any other status	**None**	**N/A**	*The standard contains no provisions on the prohibition of employment discrimination on grounds of gender, race, religion, nationality or age.*
4.7 The employer must grant a pregnant woman 98 days' pre- and post-natal leave and the father 10 days' leave (in both cases, this may be extended in special circumstances).	**None**	**N/A**	*The standard contains no provisions on pre- and post-natal leave.*
5. Human Rights			

5.2 No persons under the age of 18 are employed in agricultural work.	**None**	**N/A**	*The standard contains no provisions on the employment of minors or a minimum age for employment in agricultural activity.*
5.3 Agricultural workers are free to resign, provided they give at least 30 days' written notice prior to termination. In the case of service contracts, the provisions of the contract apply	**None**	**N/A**	*The standard contains no provisions on the freedom of agricultural workers to terminate their employment relationship voluntarily or on entitlement to severance pay.*

5.4 Agricultural workers are not forced into or subjected to forced labour	**None**	**N/A**	*The standard contains no provisions on the prohibition of slavery, servitude or forced or compulsory labour.*
5.5 The employer prohibits all forms of sexual harassment in the workplace, guarantees effective protection for victims and acts with due diligence	**None**	**N/A**	*The standard contains no provisions on gender discrimination or sexual harassment in the workplace.*
7. Tax, trade, corruption and customs			
7.1 The exporter complies with the payment of property tax, value-added tax, corporation tax, export duties, as well as royalties and customs duties, and other taxes established by law, as applicable to its tax regime and level of income	**None**	**N/A**	*The standard contains no provisions on the obligation to register with sectoral coffee bodies or on tax or fiscal obligations.*

7.2 The exporter complies with all customs formalities, including any legal, sanitary, phytosanitary, environmental, safety or quality control restrictions applicable to the type of goods. The exporter complies with all customs formalities, including any legal, sanitary, phytosanitary, environmental, safety or quality control restrictions applicable to the type of goods.	**None**	**N/A**	*The standard contains no provisions on compliance with applicable customs regulations or the formalities required for the type of goods concerned.*
7.3 Supply chain actors do not engage in corrupt practices, fraud or conflicts of interest, and act with transparency and integrity	**None**	**N/A**	*The standard contains no provisions on corrupt or fraudulent practices.*

Notes about the Sources

This document was prepared using the most recent available versions of the reference materials consulted. All links were verified and accessed on August 21, 2026, ensuring that the analysis is based on up-to-date information published by the European Commission.

- Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products– Link: https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32018R0848

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