Imports of organic products – amended requirements for control bodies

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Imports of organic products: adaptations of some requirements for control bodies

Commission Delegated Regulation (EU) 2023/1686 of 30 June 2023 amending Delegated Regulation (EU) 2021/1698 as regards certain procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and certain requirements on their supervision

Update

The EU has made changes to procedural requirements for organic control authorities/ bodies to make it easier to recognise and oversee their certification of non-EU operators. This will help to ensure a smooth transition to the new EU organic rules under Regulation 2018/848.

Impacted products

Organic products imported into the EU

What is changing?

The EU has updated its process for evaluating control authorities/ bodies. Control authorities/ bodies must be formally recognised by the Commission as being capable of undertaking controls of organic products in compliance with EU criteria. They are then audited on a regular basis. This regulation clarifies the timeframe for this process, taking into account delays that may have occurred due to the Covid pandemic.

The EU has made the following changes:

- Witness audits that must be undertaken before requesting recognition from the Commission may be carried out within the previous 3 years for requests submitted before 31 December 2024 (rather than the 2 years currently required).

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- A control body must provide a new witness audit within 2 years of the Commission's initial recognition, or within 2 years of extending the scope of recognition to a new category of products.

Control authorities and bodies must continue to provide witness audits over time. The period between two audits must not exceed 4 years. The regulation clarifies that the 4-year period starts from the date of the first witness audit carried out after the initial recognition, or the date of the initial extension of scope to a new category of products.

Why?

These modifications aim to smooth the transition from certification of organic producers under the previous equivalence regime (under the old Regulation (EC) No 834/2007), to certification under the new compliance regime (under Regulation 2018/848). An efficient transition is important to minimise the risks of trade disruptions, and to increase the effectiveness of supervisory activities by the Commission.

Timeline

The new requirements apply from 8 September 2023.

What are the major implications for exporting countries?

Extending the validity period of witness audits may facilitate the process of recognising control authorities and bodies in exporting countries under the new regime.

Introducing time frames for post-recognition audits gives greater clarity and predictability for non-EU control authorities and control bodies.

Background

The new EU Organic Regulation (EU) 2018/848 is the basic Act that lays down the EU rules on organic production and labelling of organic products. It brings in a fundamental change to the regulatory approach, which will move from the principle of equivalence to the principle of conformity.

Delegated Regulation (EU) 2021/1698 lays down the procedural requirements for the recognition of control authorities and control bodies under the new regime. Existing recognition of equivalent

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control bodies will expire on 31 December 2024 (control authorities/ bodies can apply for accreditation against the new regulation at any time between 1 January 2022 and 31 December 2024). Control authorities/ bodies continue to audit according to the equivalence rules until they are officially recognised under the new Regulation.

Resources

Regulation 2021/1698

Sources

Commission Delegated Regulation (EU) 2023/1686

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