



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
The Director

Brussels,
MP/sn/agri.ddg1.b.4(2020)6907017

Dear Sir/Madam,

Thank you for your e-mail of 19 October 2020 (Int. reference Ref. Ares(2020)5650400) in which you request clarifications about an import of organic brown sugar from Peru for which the Certificate of Inspection (COI) was not signed before the departure of the vessel.

According to Article 13(2) of Regulation (EC) No1235/2008, the certificate of inspection must be issued by the relevant control authority or control body before the consignment leaves the third country of export or origin to ensure compliance with second subparagraph of Article 33(1) of Regulation (EC) No 834/2007 and the traceability of the imported products during distribution, including transport from third countries.

In addition, the Commission recently amended Article 13(4) of Regulation (EC) No 1235/2008 as regards the information related to transport documents. The current provisions foresee that the information related to transport documents shall be included in the certificate of inspection within maximum 10 days from the issuance of the certificate and, in any case, before endorsement of the certificate of inspection by the relevant Member State's competent authorities.

It is the responsibility of the Control Body issuing the COI to ensure that the EU legislation and those specific provisions are duly respected.

The present opinion is provided on the basis of the facts as set out in your letter of 19 October 2020 and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



