



# EU imports of organic products – transition from equivalence to compliance

SANA 2023 – 8 September



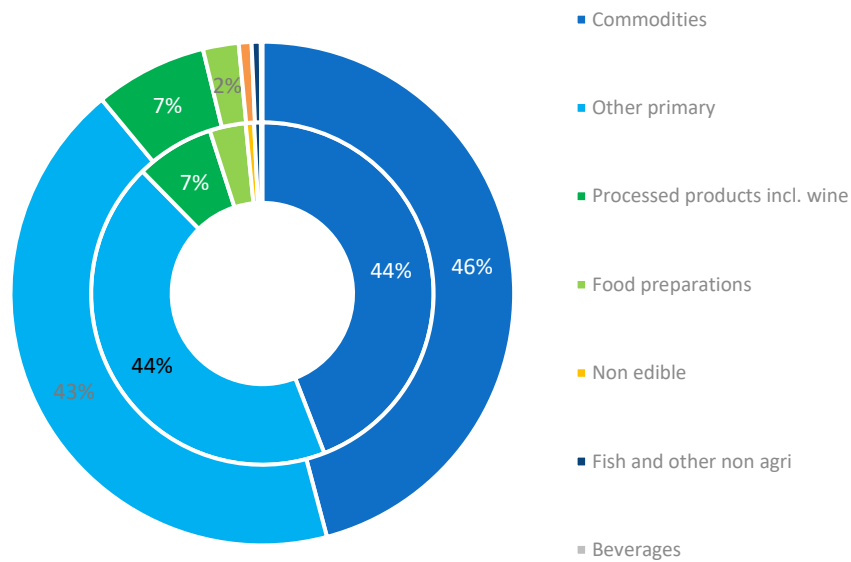
*Workshop by PQAI 1 – Agricoltura  
Biologica e sistemi di qualità  
alimentare nazionale e affari generali  
of Ministry of Agriculture, Food  
Sovereignty and Forestry of Italy*

# Today

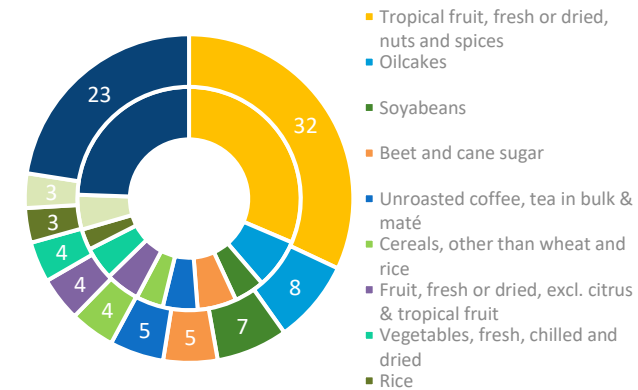
- Overview imports of organic products
- Import regimes
- Transition from equivalence to compliance – Recognition of control authorities/bodies

# Overview EU imports of organic agri-food products - Key developments in 2022

- Overall imports in t.: **2.73 million t. in 2022 (-5.1%)**

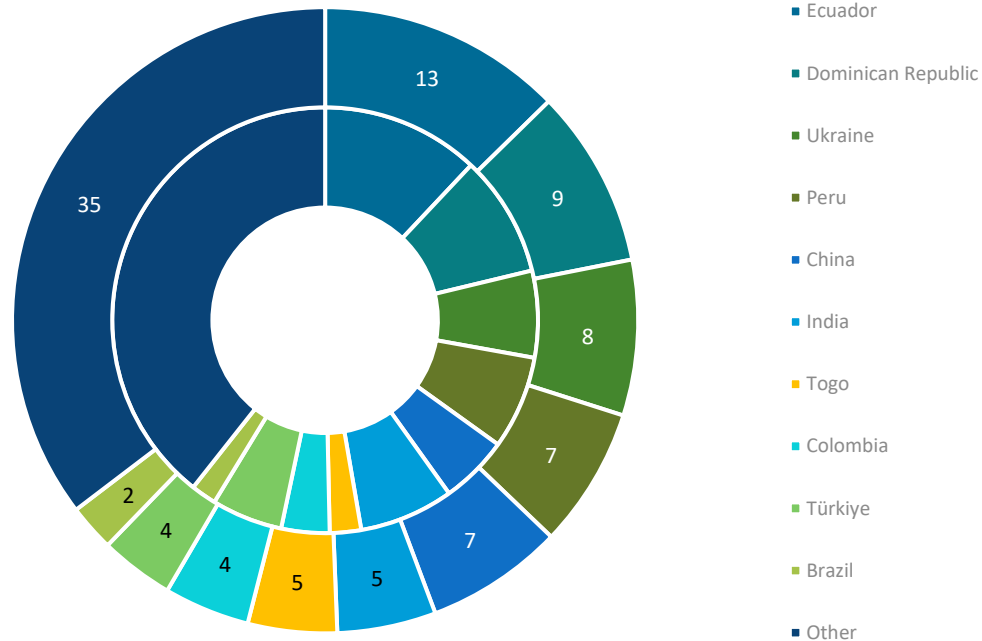


Share (%) of organic agri-food import volumes by class, 2021 (inner circle) and 2022 (outer circle)

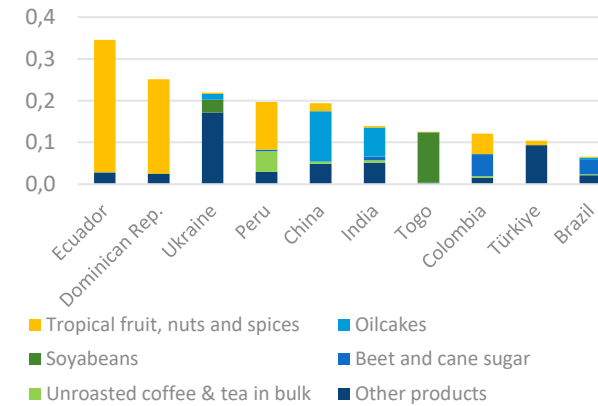


Share (%) of organic agri-food import volumes by product category, 2021 (inner circle) and 2022 (outer circle)

# Overview EU imports of organic agri-food products - Key developments in 2022

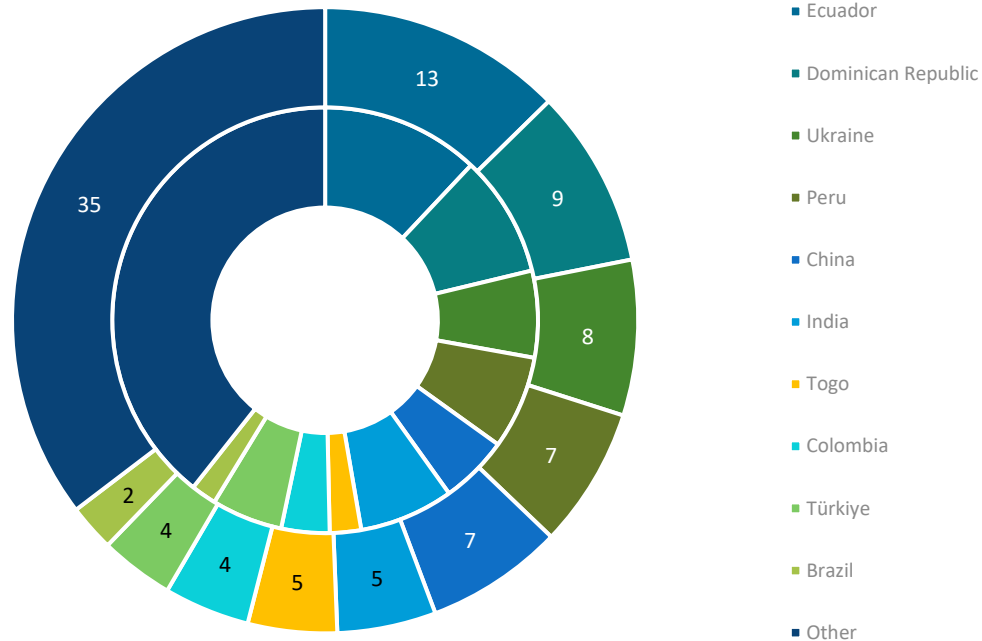


Share (%) of organic agri-food import volumes by export country  
2021 (inner circle) and 2022 (outer circle)

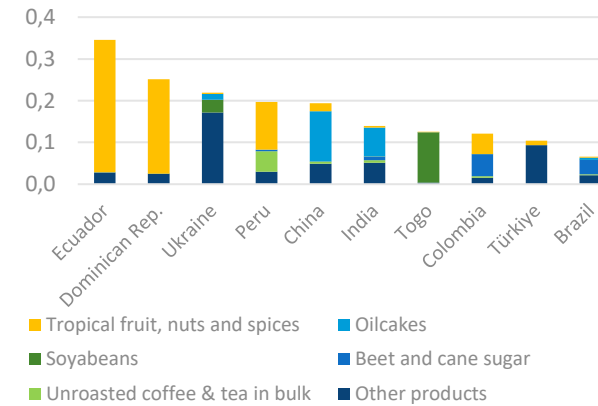


Main product categories of organic agri-food imports by exporting country, 2022 (million t)

# Overview EU imports of organic agri-food products - Key developments in 2022

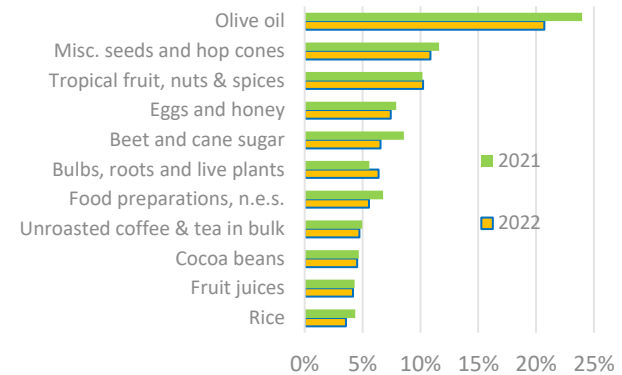
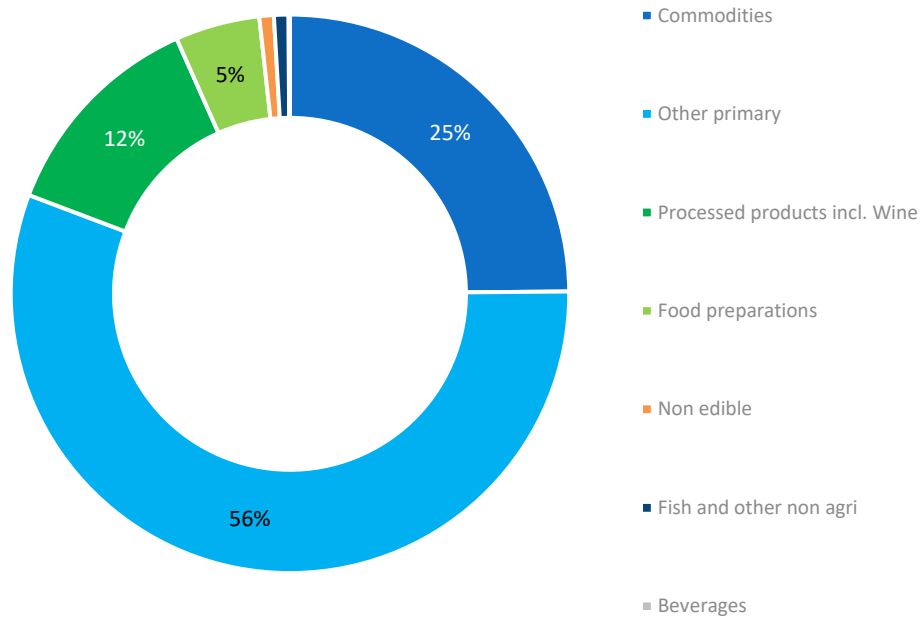


Share (%) of organic agri-food import volumes by export country  
2021 (inner circle) and 2022 (outer circle)



Main product categories of organic agri-food imports by exporting country, 2022 (million t)

# Overview EU imports of organic agri-food products - Key developments in 2022



Estimated share (%) of selected organic agri-food import volumes out of total (organic and conventional) imports by product category

Share (%) of organic agri-food imports in value by class, 2022

# Overview EU imports of organic agri-food products - Key developments in 2022

- For more information: [https://agriculture.ec.europa.eu/data-and-analysis/sustainability-and-organic-farming/agricultural-markets-organic-sector\\_en](https://agriculture.ec.europa.eu/data-and-analysis/sustainability-and-organic-farming/agricultural-markets-organic-sector_en)

# Import regimes

## THIRD COUNTRIES

- Equivalent third countries on the basis of Article 33(2) of Regulation (EC) No 834/2007: Argentina, Australia, Canada, Costa Rica, India, Israel, New Zealand, Japan, Tunisia, Korea, United States
- International Agreements: Chile, United Kingdom, Switzerland

Equivalences based on Article 33(2) of Regulation (EC) No 834/2007 to expire by 31/12/2026



## INTERNATIONAL AGREEMENT

(Article 47 of Regulation (EU) 2018/848)

## CONTROL BODIES

**Control authorities and control bodies recognised on the basis of Article 33(3) of Regulation (EC) No 834/2007 (equivalence): +/- 65**

Recognition of control authorities and control bodies on the basis of Article 33(3) of Regulation (EC) No 834/2007 (equivalence) to expire by 31/12/2024 at the latest



## COMPLIANCE

(Article 46 of Regulation (EU) 2018/848)



# Transition from equivalence to compliance

## Recognition of control authorities/bodies

- Submission of applications (technical dossiers) according to Article 46 of Regulation (EU) 2018/848 (“recognition of control authorities and control bodies” as amended by Delegated Regulation (EU) 2021/1697) and to Delegated Regulation (EU) 2021/1698\*
- Possibility for previously recognised control bodies under equivalence to use information validated under equivalence – “light dossier” (e.g. witness audits)

\* Amended by Delegated Regulation (EU) 2023/1686 still to apply following scrutiny period (extension of validity of witness audit for previously recognised control bodies under equivalence from 24 months to 36 months)

# Transition from equivalence to compliance

## Recognition of control authorities/bodies

- Through OFIS, available Jan. 2022
- Process for recognition of control authorities/bodies involves:
  - Submission of technical dossier
  - Assessment and probably request for additional information clarifications
  - Legislative amendment (Regulation (EU) 2021/1378) for control authorities/bodies to be able to certify operators in third countries (+/- 6 months)
- Continuously raising awareness of accreditation bodies and control authorities/bodies on the need to submit the requests for recognition on time in order to avoid any disruption on trade on 1 Jan. 2025

# Transition from equivalence to compliance

## Recognition of control authorities/bodies

- 13 control authorities/bodies have submitted applications in OFIS – assessed or in the process of being assessed
  - Issues brought to the attention of applicants
- Important that all interested control authorities/bodies complete their application without delay!

# Control bodies: Key partners in the organic control system

# Certification of operators

- Important to assess applications for certification and applicant operators very carefully
- Important to be careful in particular with operators switching from another control body; in particular when there is a history of (suspicions of) non-compliance; this may be an attempt to escape pending control/suspension/withdrawal; need to ask always for the control file from the previous control body; need to check always whether previous OFIS notifications have been addressed
- Important to be very careful with retroactive recognitions, many instances of fraud: need an evidence-based (physical checks, non-falsified documents and declarations) approach

# Regular controls of operators

- Annual inspections, additional announced and unannounced inspections – unannounced inspections particularly important
- Important to take an in-depth approach to controls and to **include sampling and testing** as needed
- Important to be **extra vigilant** when the operator has **parallel production**
- Important to include in the checks agricultural **inputs as well** (e.g. fertilisers, can be labelled as ok for organic while not)
- Important to **do proper sampling and testing** (unannounced, sampling at the right time, sampling at the right stage of the supply chain (soil, plant, actual fruit/vegetable, etc.), with proper sampling methods, with proper handling of samples, accredited laboratories, asking for checks on the right non-authorized products and substances (appropriate scope), with the right laboratory methods, etc.)
- Important not to hesitate **to take sanctions against products**/operators where needed
- Important to **follow-up on non-compliances, imposing follow-up actions**, scheduling follow-up controls on those actions, etc.

# Checks on consignments

- When certifying exports, important to issue the Certificate of Inspection before goods leave the third country of export (no exceptions) based on:
  - Systematic documentary checks
  - Random identity checks
  - Risk-based physical checks (including sampling/testing):
    - Risk to be determined in a continuously updated, evidence-based manner, based on a rolling analysis of all information available on risky countries, risky products, risky operators:
      - Past control history by the control body
      - Analysis of OFIS cases addressed to the control body
      - Country-product combinations on COM annual list of additional controls
    - Control body to take sample, not operator; results to be sent directly to control body, not via operator

# Follow-up on suspicions of non-compliance

- When there is a suspicion of non-compliance that cannot be eliminated or has been substantiated and when an OFIS notification has been introduced:
  - To **open as soon as possible an investigation** (and to block the concerned goods during the investigation)
  - To carry out a **credible, in-depth investigation** (comprehensive, combining document review with onsite visits, to contact/follow up with the control bodies of other operators in the supply chain as needed)
  - Investigations need to be **conclusive** (on the integrity of organic and in-conversion products, **the source and the cause of the contamination**, the use of non-authorized products of substances, precautionary measures, measures taken in response to relevant previous requests)
  - To report **back extensively in OFIS**
- When non-compliances are found, to take action against products and operators; to impose proper follow-up actions and to schedule follow-up checks/visits to check on those follow-up actions
- To look **pro-actively for signs of fraud**: repeat involvement of operator in contaminations, above MRL, with cocktails; no COI, late COI; lack of traceability (missing or falsified or inconsistent documents, mass balance discrepancies); refusal to collaborate with investigation; operator switching control body); when fraud found, to alert the national policy authorities
- When heavy contaminations found, to alert the national food safety authorities



# Thank you



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