



Brussels, **XXX**
[...] (2021) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

laying down certain rules concerning the certificate issued to operators, groups of operators and exporters in third countries involved in the imports of organic products into the Union and establishing the list of recognised control authorities and control bodies in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007¹, and in particular Articles 45(4) and 46(1) thereof,

Whereas:

- (1) In accordance with point (b)(i) of Article 45(1) of Regulation (EU) 2018/848, an organic product may be imported from a third country for the purpose of placing that product on the market within the Union, if operators and groups of operators, including exporters in the third country concerned, have been subject to controls by control authorities or control bodies recognised in accordance with Article 46 of that Regulation, and those authorities or bodies have provided all such operators, groups of operators and exporters with a certificate confirming that they comply with Regulation (EU) 2018/848.
- (2) In order to give effect to point (b)(i) of Article 45(1) of Regulation (EU) 2018/848, the content of the certificate referred to in that provision should be specified, as well as the technical means by which it is to be issued.
- (3) In addition, for the purposes of point (b)(i) of Article 45(1) of Regulation (EU) 2018/848, it is appropriate to establish in this Regulation the list of recognised control authorities and control bodies that are competent to carry out those controls and to issue that certificate in third countries.
- (4) In the interest of clarity and legal certainty, this Regulation should apply from the date of application of Regulation (EU) 2018/848.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Organic Production Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Certificate for operators, groups of operators and exporters in third countries

¹ OJ L 150, 14.6.2018, p. 1.

Control authorities and control bodies that have been recognised in accordance with Article 46(1) of Regulation (EU) 2018/848 shall provide operators, groups of operators and exporters in third countries that have been subject to the controls referred to in point (b)(i) of Article 45(1) of that Regulation with a certificate confirming that such operators, groups of operators and exporters comply with Regulation (EU) 2018/848 ('the certificate').

The certificate shall:

- (a) be issued in electronic form, in accordance with the model set out in Annex I to this Regulation, and by using the electronic Trade Control and Expert System (TRACES) referred to in point (36) of Article 2 of Commission Implementing Regulation (EU) 2019/1715²;
- (b) allow the identification of:
 - (i) the operator, group of operators or exporter covered by the certificate, including the list of members of a group of operators;
 - (ii) the category of products covered by the certificate, classified in the same way as provided for in Article 35(7) of Regulation (EU) 2018/848; and
 - (iii) its period of validity;
- (c) certify that the activity of the operator, group of operators or exporter complies with Regulation (EU) 2018/848; and
- (d) be updated whenever changes occur concerning the data included in it.

Article 2

List of recognised control authorities and control bodies

1. The list of control authorities and control bodies recognised in accordance with Article 46(1) of Regulation (EU) 2018/848 is set out in Annex II to this Regulation. The list shall contain the following information on each recognised control authority or control body:
 - (a) the name and code number of the control authority or control body;
 - (b) the product categories, as set out in Article 35(7) of Regulation (EU) 2018/848, for each third country;
 - (c) the third countries in which the product categories have their origin, provided that those third countries are not already covered for the product category or product concerned by an agreement on trade in organic products in accordance with Article 47 of Regulation (EU) 2018/848 or through an equivalence recognition in accordance with Article 48 of that Regulation;
 - (d) the duration of the recognition; and
 - (e) the exceptions to the recognition, where appropriate.
2. Detailed information relating to the mailing address, website address and email contact point of the control authority or control body, as well as the name of the

² Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation) (OJ L 261, 14.10.2019, p. 37).

accreditation body granting the accreditation in accordance with point (d) of Article 46(2) of Regulation (EU) 2018/848, shall be publicly available via the Commission organic farming website.

Article 3

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2022.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN