Commission Implementing Regulation (EU) 2020/2196 of 17 December 2020 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2196

of 17 December 2020

amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91[(1)], and in particular Article 33(2) and (3) and Article 38(d) thereof,

Whereas:

(1) Annex III to Commission Regulation (EC) No 1235/2008[(2)] sets out the list of third countries whose systems of production and control measures for organic production of agricultural products are recognised as equivalent to those laid down in Regulation (EC) No 834/2007.

(2) According to the information provided by **Australia**, it has recognised a new control body 'Southern Cross Certified Australia Pty Ltd', which should be included in Annex III to Regulation (EC) No 1235/2008.

(3) According to the information provided by **Canada**, it is necessary to change the internet address of 'Quality Assurance International Incorporated (QAI)' and 'Organisme de Certification Québec Vrai (OCQV)'. In addition, Canada has informed the Commission that the accreditation of 'Oregon Tilth Incorporated (OTCO)' has expired and the accreditation of 'Global Organic Alliance' has been cancelled.

(4) The recognition by the Union of the laws and regulations of **Chile** as equivalent to the Union's laws and regulations ends on 31 December 2020. Pursuant to Article 15 of the Agreement between the European Union and the Republic of Chile on trade in organic products[(3)], that recognition should be extended indefinitely.

(5) According to the information provided by **India**, the list of recognised Indian control bodies listed in Annex III to Regulation (EC) No 1235/2008 should be updated. The changes concern updates of the names or internet addresses for IN-ORG-003, IN-ORG-004, IN-ORG-005, IN-ORG-006, IN-ORG-007, IN-ORG-012, IN-ORG-014, IN-ORG-016, IN-ORG-017, IN-ORG-021, IN-ORG-024 and IN-

ORG-025. In addition, India has recognised eight additional control bodies that should also be included in that Annex, i.e. 'Bhumaatha Organic Certification Bureau (BOCB)', 'Karnataka State Organic Certification Agency', 'Reliable Organic Certification Organization', 'Sikkim State Organic Certification Agency (SSOCA)', 'Global Certification Society', 'GreenCert Biosolutions Pvt. Ltd', 'Telangana State Organic Certification Authority' and 'Bihar State Seed and Organic Certification Agency'. Finally, India has suspended the recognition of 'Intertek India Pvt Ltd', and has withdrawn the recognition of 'Vedic Organic Certification Agency'.

(6) According to the information provided by **Japan,** it is necessary to change the internet address of 'Ehime Organic Agricultural Association', 'Hiroshima Environment and Health Association', 'Rice Research Organic Food Institute', 'NPO Kumamoto Organic Agriculture Association', 'Wakayama Organic Certified Association' and 'International Nature Farming Research Center'. Furthermore, the name and internet address of 'Assistant Center of Certification and Inspection for Sustainability' has changed. In addition, 'Association of Certified Organic Hokkaido' and 'LIFE Co., Ltd' need to be deleted as a result of the withdrawal of their recognition. Finally, the Japanese competent authority has recognised the following three control bodies: 'Japan Agricultural Standard Certification Alliance','Japan Grain Inspection Association' and 'Okayama Agriculture Development Institute', which should be added to the list in Annex III to Regulation (EC) No 1235/2008.

(7) According to the information provided by the **Republic of Korea,** the Korean competent authority has recognised the following two control bodies, which should be added to the list in Annex III to Regulation (EC) No 1235/2008: 'Hankyoung Certification Center Co., Ltd.' and 'Ctforum. LTD'.

(8) According to the information provided by the **United States**, it is necessary to change the internet address of 'Iowa Department of Agriculture and Land Stewardship', 'Marin Organic Certified Agriculture', 'Monterey County Certified Organic', 'New Hampshire Department of Agriculture, Division of Regulatory Services', 'New Jersey Department of Agriculture', 'New Mexico Department of Agriculture, Organic Program', 'Washington State Department of Agriculture' and 'Yolo County Department of Agriculture'. In addition, the name of 'Oklahoma Department of Agriculture' has changed. Furthermore, the name and internet address of 'A bee organic', 'Clemson University', 'Americert International (AI)', 'Scientific Certification Systems' have changed.

(9) Annex IV to Regulation (EC) No 1235/2008 sets out the list of control authorities and control bodies competent to carry out controls and issue certificates in third countries for the purpose of equivalence.

(10) The duration of the recognition in accordance with Article 33(3) of Regulation (EC) No 834/2007 of the control bodies listed in Annex IV to Regulation (EC) No 1235/2008 ends on 30 June 2021. Based on the results of the continuous supervision carried out by the Commission, the recognition of those control bodies should be extended until 31 December 2021.

(11) As a result of the adoption of Decision No 1/2020 of the EU-San Marino Cooperation Committee[4], San Marino will need to be removed from Annex IV to Regulation (EC) No 1235/2008 in the entries for '**Bioagricert S.r.l**.', '**CCPB Srl**', '**Istituto Certificazione Etica e Ambientale'** and **'Suolo e Salute srl'**.

(12) The Commission has received and examined a request from '**AfriCert Limited'** to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A and B for Burundi, Democratic Republic of Congo, Ghana, Kenya, Rwanda, Tanzania and Uganda.

(13) The Commission has received and examined a request from '**Agricert – Certificação de Produtos Alimentares LDA**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Azerbaijan, Brazil, Cameroon, China, Cape Verde, Georgia, Ghana, Cambodia, Kazakhstan, Morocco, Mexico, Panama, Paraguay, Senegal, Timor-Leste, Turkey and Vietnam.

(14) The Commission has received and examined a request from '**BioAgricert SrL**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Afghanistan, Azerbaijan, Ethiopia, Georgia, Kyrgyzstan, Moldova and Russia; for product category B to Albania, Bangladesh, Brazil, Cambodia, Ecuador, Fiji, India, Indonesia, Kazakhstan, Malaysia, Morocco, Myanmar/Burma, Nepal, Philippines, Singapore, Republic of Korea, Togo, Ukraine and Vietnam, and to extend its recognition for Serbia to product category D, for Senegal to product categories B and D, and for Laos and Turkey to product categories B and E.

(15) The Commission has received and examined a request from '**Biodynamic Association Certification**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A, B, D and F in respect of the United Kingdom.

(16) '**BioGro New Zealand Limited**' and **'Bureau Veritas Certification France SAS'** have notified the Commission of the change of their address.

(17) The Commission has received and examined a request from '**Caucascert Ltd**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category A to Turkey.

(18) The Commission has received and examined a request from '**Certificadora Biotropico S.A**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A and D in respect of Colombia.

(19) The Commission has received and examined a request from '**Control Union Certifications**' to amend its specifications. Based on the information received, the

Commission has concluded that it is justified to extend the geographical scope of its recognition to Bosnia and Herzegovina and Qatar for product categories A and D, and to extend its recognition for Chile to product categories C and F.

(20) The Commission has received and examined a request from '**DQS Polska sp. z o.o.**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A, B and D to Brazil, Belarus, Indonesia, Kazakhstan, Lebanon, Mexico, Malaysia, Nigeria, Philippines, Pakistan, Serbia, Russia, Turkey, Taiwan, Ukraine, Uzbekistan, Vietnam and South Africa.

(21) The Commission has received and examined a request from '**Ecocert SA**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for Chile to product category E. In addition, it appears that its recognition for product category A in respect of Russia needs to be withdrawn.

(22) The Commission has received and examined a request from '**Ecoglobe**' to amend its specifications. At the request of 'Ecoglobe', Afghanistan and Pakistan need to be deleted from the list of third countries for which it has been recognised.

(23) The Commission has received and examined a request from '**Ecogruppo Italia**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product category A for Armenia, Azerbaijan, Bosnia and Herzegovina, Kazakhstan, Montenegro, North Macedonia, Serbia and Turkey, for product category B for Armenia, Bosnia and Herzegovina, Montenegro, Serbia and Turkey, for product category D for Montenegro, North Macedonia, Serbia and Turkey and for product category E for Turkey.

(24) The Commission has received and examined a request from **'ETKO Ekolojik Tarim Kontrol Org Ltd Sti'** to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A and D in respect of Turkey.

(25) The Commission has received and examined a request from '**Florida Certified Organic Growers and Consumers, Inc. (FOG), DBA as Quality Certification Services (QCS)**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A, D, and E to the United Arab Emirates, and to extend the recognition for Costa Rica to product categories A and D and the recognition for Turkey to product category E.

(26) The Commission has received and examined a request from '**Kiwa Sativa**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A and D in respect of Guinea Bissau.

(27) The Commission has received and examined a request from '**NASAA Certified Organic Pty Ltd**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend its recognition for Australia, China, Indonesia, Sri Lanka, Malaysia, Nepal, Papua New Guinea, Solomon Islands, Singapore, Timor-Leste, Tonga and Samoa to product category B.

(28) The Commission has received and examined a request from '**Organic Agriculture Certification Thailand (ACT)**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend its recognition for Malaysia and Nepal to product category A. In addition, at the request of 'Organic Agriculture Certification Thailand (ACT)', Myanmar/Burma needs to be deleted from the list of third countries for which it has been recognised.

(29) The Commission has received and examined a request from '**Organic Farmers & Growers C. I. C**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A, B (except beekeeping), D, E and F in respect of the United Kingdom.

(30) The Commission has received and examined a request from '**Organic Farmers & Growers (Scotland) Ltd**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A, B (except beekeeping), D, E and F in respect of the United Kingdom.

(31) The Commission has received and examined a request from '**Organic Food Development and Certification Center of China (OFDC)**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A and D in respect of China.

(32) The Commission has received and examined a request from '**Organic Food Federation**' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for product categories A, B, D, E and F in respect of the United Kingdom.

(33) The Commission has received and examined a request from '**Organización Internacional Agropecuaria**' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend its recognition for product categories A and D to Ukraine and Turkey, and to extend its recognition for Russia to product category E.

(34) The Commission has received and examined a request from **'Overseas Merchandising Inspection CO., Ltd'** to withdraw its recognition and to be deleted from the list in Annex IV to Regulation (EC) No 1235/2008. The Commission has accepted the request.