Commission Implementing Regulation (EU) 2020/786 of 15 June 2020 amending and correcting 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) 2020/786

of 15 June 2020

amending and correcting 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 information provided by India, the Indian competent authority has suspended its recognition of 'Indian Society for Certification of Organic Products (ISCOP)'. Consequently, that control body should no longer be listed in Annex III to Regulation (EC) No 1235/2008.

(3) Annex III to Regulation (EC) No 1235/2008 includes product category F (vegetative propagating material and seeds for cultivation) for Japan. However, Japan does not have rules for the organic production of vegetative propagating material and seeds for cultivation. References to that product category should therefore be deleted in Japan's entry in that Annex. That deletion will allow control bodies to be recognised for that product category for Japan for the purposes of Annex IV to Regulation (EC) No 1235/2008. Japan has been informed about these changes.

(4) According to the information provided by the Republic of Korea, the name of the control body 'Konkuk University industrial cooperation corps' has changed to 'KAFCC' and new internet addresses have been provided for 'Woorinong Certification' and 'Neo environmentally-friendly Certification Center'. In addition, the recognition of the control body 'Ecolivestock Association' has been withdrawn. Finally, the Korean competent authority has recognised the following six control bodies which

should be added to the list in Annex III to Regulation (EC) No 1235/2008: 'Korea Crops Research Institute (co.ltd)', 'Korea organic certification', 'Jayeondeul agri-food certification institute', 'Institute of Organic food Evaluation', 'EverGreen Nongouhwi' and 'ONNURI ORGANIC Co., Ltd.'.

(5) According to the information provided by United States, the name of the control body 'Primuslabs' has changed to 'Primus Auditing Operations' and a new internet address has been provided for that control body. The names of two control bodies that had been added by Commission Implementing Regulation (EU) 2020/25[(3)] had been misspelled. Those names should be corrected with effect from the date of entry into force of Implementing Regulation (EU) 2020/25.

(6) 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.

(7) The Commission has received and examined a request from 'BAŞAK Ekolojik Ürünler Kontrol ve Sertifikasyon Hizmetleri Tic. Ltd' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Kyrgyzstan for product categories A and D.

(8) The Commission has received and examined a request from 'Beijing Continental Hengtong Certification Co., 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 China for product categories A and D.

(9) The Commission has received and examined a request from 'Biocert International Pvt Ltd' 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 Georgia to product category A.

(10) 'BioGro New Zealand Limited' has notified the Commission of the change of its address.

(11) On the basis of the dossier submitted by 'Bio.inspecta AG' the scope of its recognition was extended to Tunisia for product categories A and D by Commission Implementing Regulation (EU) 2019/39[(4)]. However, since Tunisia is listed in Annex III to Regulation (EC) No 1235/2008 for product categories A and D, Article 10(2)(b) of that Regulation precluded the Commission from including Bio.inspecta AG in Annex IV for that country for those product categories. In the interest of legal certainty, the necessary adjustments to Bio.inspecta AG's entry in Annex IV to Regulation (EC) No 1235/2008 should be considered as an amendment, rather than a correction with retroactive effect from the date of entry into force of Implementing Regulation (EU) 2019/39.

(12) The Commission has received and examined a request from 'CCPB SrL' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Tanzania and Mozambique for product categories C and D.

(13) The Commission has received and examined a request from 'CERES Certification of Environmental Standards GmbH' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Cuba, Sudan and Kosovo[(5)] for product categories A, B and D and to Algeria, Bangladesh, Burundi, Congo (Brazzaville), Chad, Gambia, Guinea and Niger for product categories A and D and to extend the scope of its recognition for Belarus to product category B, for Ghana to product category D, for Kazakhstan to product categories B and F and for Moldova to product category F.

(14) 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 to Dominica for product category A and to extend the scope of its recognition for Japan to product category F.

(15) The Commission has received and examined a request from 'Ecovivendi d.o.o. Belgrade' 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 'Ecovivendi d.o.o. Belgrade' for Serbia for product categories A and D.

(16) The Commission has received and examined a request from 'Ekoagros' 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 Belarus to product categories D and F, for Kazakhstan to product categories B and D, for Russia to product category F and for Tajikistan to product categories B and F.

(17) The Commission has received and examined a request from 'Japan Organic and Natural Foods Association' 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 Japan to product category C.

(18) The Commission has received and examined a request from 'ORSER' 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 Azerbaijan, Bosnia and Herzegovina, Georgia, Iran, Kyrgyzstan, Kazakhstan and Turkey to product categories B and E.

(19) 'Servicio de Certificación CAAE S.L.U' has notified the Commission of the change of its address.

(20) The Commission has received and examined a request from 'SIA "Sertifikācijas un testēšanas centrs"' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Turkmenistan for product category A.

(21) The Commission has received and examined a request from 'TÜV Nord Integra' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Algeria for product categories A and D.

(22) Regulation (EC) No 1235/2008 should therefore be amended and corrected accordingly.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/786. (See end of Document for details)*

(23) The measures provided for in this Regulation are in accordance with the opinion of the Committee on organic production,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 1235/2008

Regulation (EC) No 1235/2008 is amended as follows:

(1) Annex III is amended in accordance with Annex I to this Regulation;

(2) Annex IV is amended in accordance with Annex II to this Regulation.

Article 2

Corrections of Regulation (EC) No 1235/2008

Annex III to Regulation (EC) No 1235/2008 is corrected in accordance with Annex III to this Regulation.

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*.

Article 2 shall apply from 3 February 2020.

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

Done at Brussels, 15 June 2020.

For the Commission

The President

Ursula VON DER LEYEN

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/786. (See end of Document for details)*

ANNEX I

Annex III to Regulation (EC) No 1235/2008 is amended as follows:

(1) in the entry relating to India, in point 5, the row relating to code number IN-ORG-009 is deleted;

(2) the entry relating to Japan is amended as follows:

(a) in point 1, the row relating to category F (vegetative propagating material and seeds for cultivation) is deleted;

(b) in point 2, the introductory phrase is replaced by the following:

2. Origin: products of category A that have been grown in Japan and products of category D processed in Japan with organically grown ingredients that have been grown in Japan or that have been imported into Japan:;

(3) in the entry relating to the Republic of Korea, point 5 is amended as follows:

(a) the rows relating to code numbers KR-ORG-006, KR-ORG-009 and KR-ORG-019 are replaced by the following:

KR-ORG-006	KAFCC	http://eco.konkuk.ac.kr
KR-ORG-009	Woorinong Certification	https://blog.naver.com/woorinongin/70107436715
KR-ORG-019	Neo environmentally-friendly Certification Center	https://neoefcc.modoo.at/

(b) the row relating to code number KR-ORG-025 is deleted;

(c) the following rows are added in the order of the code numbers:

KR-ORG-030	Korea Crops Research Institute (co.ltd)	https://blog.naver.com/kor034
KR-ORG-031	Korea organic certification	http://blog.daum.net/koafc2019
KR-ORG-032	Jayeondeul agri-food certification institute	www.jaci.kr
KR-ORG-033	Institute of Organic food Evaluation	www.ioe42.com
KR-ORG-034	EverGreen Nongouhwi	http://blog.naver.com/evergreen8374
KR-ORG-035	ONNURI ORGANIC Co., Ltd.	https://blog.naver.com/onr77830

(4) in the entry relating to the United States, in point 5, the row relating to code number US-ORG-048 is replaced by the following: