Commission Implementing Regulation (EU) 2018/949 of 3 July 2018 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) 2018/949

of 3 July 2018

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) In accordance with the Agreement between the European Union and the Republic of Chile on trade in organic products, approved by Council Decision (EU) 2017/2307[(3)], the Union and Chile accept the import into their territory, and the placing on the market as organic products, of the products listed in an Annex to that Agreement, provided that those products comply with each other's laws and regulations. Annex I to that Agreement covers organic products from Chile for which the Union recognises equivalence. For the sake of clarity, Chile should be included in the list in Annex III to Regulation (EC) No 1235/2008.

(3) According to information provided by Costa Rica, its competent authority has added one new control body, namely ‘Primus Auditing Operations de Costa Rica S.A’ to the list of control bodies recognised by Costa Rica.

(4) According to information provided by Switzerland, the names of the control bodies ‘Institut für Marktökologie (IMO)’ and ‘ProCert Safety AG’ have been changed to ‘IMOswiss AG’ and ‘ProCert AG’ respectively.

(5) According to information provided by Tunisia, the name of its competent authority has changed. In addition, Tunisia has informed the Commission that its competent authority has added one control body, namely ‘CERES GmbH’, to the list of control bodies

recognised by Tunisia and that the name of the control body 'Ecocert SA en Tunisie' has changed to 'Ecocert SA'. The recognition of the control body 'Suolo e Salute' has been withdrawn. Finally, the control bodies 'Kiwa BCS Öko-Garantie GmbH' and 'Institut national de la normalisation et de la propriété industrielle (INNORPI)' have been assigned new code numbers.

(6) According to information provided by South Korea, new internet addresses have been provided for 'OCK' and 'Neo environmentally-friendly'. The recognition of the control body 'Ecocert' has been withdrawn. Finally, the South Korean competent authority has recognised four more control bodies which should be added to the list in Annex III to Regulation (EC) No 1235/2008: 'Ecolivestock Association', 'Association for Agricultural Products Quality Evaluation', 'University Industry Liaison office of CNU' and 'Eco Agriculture Institute Inc.'

(7) 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.

(8) The Commission has received and examined a request from 'Agreco R.F. Göderz GmbH' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to recognise 'Agreco R.F. Göderz GmbH' for product category B in respect of all the third countries for which it had been recognised for other product categories and to extend the geographical scope of its recognition for product category D to Cape Verde, Fiji, Iran, Cambodia, the former Yugoslav Republic of Macedonia, Solomon Islands, El Salvador, Tonga and Samoa, and for product category A in respect of Mexico and Uruguay.

(9) The Commission has received and examined a request from 'Bioagricert S.r.l' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to recognise 'Bioagricert S.r.l' for product category D in respect of Indonesia.

(10) The Commission has received and examined a request from 'Biocert International Pvt 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 'Biocert International Pvt Ltd' for product categories D and E in respect of India and for product categories A and D in respect of Sri Lanka.

(11) 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 geographical scope of its recognition for product categories A and D to New Caledonia, for product category B to Armenia and for product category E to Togo.

(12) 'Ecoglobe' has notified the Commission of the change of its address and internet address.

(13) 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 recognition for Russia to product categories B and D.

(14) 'NASAA Certified Organic Pty Ltd' has notified the Commission of the change of its internet address.

(15) The Commission has received and examined a request from 'OneCert International PVT 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 categories A and D to Benin, Indonesia, Nigeria, the Philippines and Togo.

(16) 'Organic Certifiers' has informed the Commission that it has ceased its certification activities in all third countries for which it was recognised. It should therefore no longer be listed in Annex IV to Regulation (EC) No 1235/2008.

(17) 'ORSER' has notified the Commission of the change of its address.

(18) The Commission has received and examined a request from 'Q-check' 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 'Q-check' for product categories A and D in respect of Albania, Egypt, Jordan, Kosovo, Lebanon, Peru, Saudi Arabia, Serbia, Turkey and the United Arab Emirates.

(19) 'Quality Partner' has informed the Commission that it has ceased its certification activities in Indonesia, the only third country for which it was recognised. It should therefore no longer be listed in Annex IV to Regulation (EC) No 1235/2008.

(20) 'Soil Association Certification Limited' has informed the Commission that it will cease its certification activities in Egypt and Iran. As a consequence, those countries should no longer be listed in Annex IV to Regulation (EC) No 1235/2008.

(21) The Commission has received and examined a request from 'Valsts 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 geographical scope of its recognition for product category A to Belarus and for product categories A and B to Uzbekistan.

(22) As a consequence of the inclusion of Chile in Annex III to Regulation (EC) No 1235/2008, the relevant control bodies recognised until now for the import of products from categories A, D or F from Chile should continue to be recognised in respect of Chile for those product categories, except for the products falling within the scope of the trade agreement.

(23) Annexes III and IV to Regulation (EC) No 1235/2008 should therefore be amended accordingly.

(24) 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

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

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

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

Done at Brussels, 3 July 2018.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/949. (See end of Document for details)*

ANNEX I

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

(1) after the entry relating to **Canada**, the following new entry is inserted:

CHILE

1. Product categories:

Category of products or products	**Designation of category as in Annex IV**	**Limitations**
Unprocessed plant products	A	Only products listed in the Agreement
Honey		Only products listed in the Agreement
Processed plant products for use as food	D	Only products listed in the Agreement
Vegetative propagating material and seeds for cultivation	F	Only products listed in the Agreement

2. Origin: organically grown ingredients in products of categories A and D that have been grown in Chile or that have been imported into Chile:
   — either from the Union,
   — or from a third country in the framework of a regime that is recognised as equivalent by the Union in accordance with Article 33(2) of Regulation (EC) No 834/2007.

3. Production standards: Law 20.089, of 17 January 2006, that creates a national certification system for agricultural organic products.

4. Competent authority: Servicio Agricola y Ganadero (SAG), Ministry of Agriculture. http://www.sag.cl/ambitos-de-accion/certificacion-de-productos-organicos

5. Control bodies:

Code number	**Name**	**Internet address**
CL-BIO-001	Ecocert Chile S.A.	www.ecocert.cl
CL-BIO-004	ARGENCERT (Instituto Argentino para la Certificación y Promoción de productos)	www.argencert.com.ar
CL-BIO-005	CERES — Certification of Environmental Standards GmbH	http://www.ceres-cert.com/
CL-BIO-010	BIO CERTIFICADORA SERVICIOS LIMITADA	www.bioaudita.cl