Commission Implementing Regulation (EU) 2016/2259 of 15 December 2016 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) 2016/2259

of 15 December 2016

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(2) The Republic of Korea informed the Commission that its competent authority has withdrawn the recognition of one control body and added three other control bodies to the list of recognised control bodies.

(3) 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.

(4) The Commission has received and examined a request from 'A CERT European Organization for Certification 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 'A CERT European Organization for Certification S.A.' for product categories A and D in respect of Albania, Azerbaijan, Bhutan, Belarus, Chile, China, the Dominican Republic, Ecuador, Egypt, Ethiopia, Grenada, Georgia, Indonesia, Iran, Jamaica, Jordan, Kenya, Kazakhstan, Lebanon, Morocco, Moldova, the former Yugoslav Republic of Macedonia, Papua New Guinea, the Philippines, Pakistan, Serbia, Russia, Rwanda, Saudi Arabia, Thailand, Turkey, Taiwan, Tanzania, Ukraine, Uganda and South Africa.

(5) 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 extend the geographical scope of its recognition for product category A to Indonesia and Senegal and for product categories A and D to Albania and Bangladesh and to extend the scope of its recognition to product category E in respect of Albania and Thailand.

(6) 'Caucacert' has informed the Commission of an error in its corporate name which should be changed into 'Caucascert'.

(7) 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 geographical scope of its recognition for product categories A, B, D, E and F to Georgia, Iran, Jordan and Saudi Arabia, for product category B to China, Iraq, Mali, the Philippines and Syria, for product category C to Morocco and Tunisia, for product category E to Tunisia and for product categories E and F to China, Egypt, Iraq, Lebanon, Morocco, Mali, the Philippines, San Marino, Syria, and Turkey.

(8) 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 geographical scope of its recognition for product categories A, B and D to Armenia, for product categories A and D to Belarus, Malawi, Sierra Leone, Somalia and Tajikistan and for product category B to Guatemala, Honduras, Nicaragua and El Salvador.

(9) 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 for product categories A, B, C, D, E and F to Burundi, Somalia and South Sudan, for product categories B and C to Angola, Belarus, Djibouti, Eritrea, Fiji, Liberia, Niger, Chad and Kosovo and for product categories B, C and D to the Democratic Republic of the Congo and Madagascar.

(10) 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 category B to Mozambique and for product category C to Bangladesh, Chile, Hong Kong, Honduras, Peru and Vietnam.

(11) Ecocert SA has informed the Commission that its subsidiary 'ECOCERT IMO Denetim ve Belgelendirme Ltd Ști' had ceased its certification activities in all third countries for which it was recognised. 'ECOCERT IMO Denetim ve Belgelendirme Ltd Ști' should therefore no longer be listed in Annex IV to Regulation (EC) No 1235/2008.

(12) The Commission has received and examined a request from 'Ekoagros' 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 'Ekoagros' for product category A in respect of Russia, for product categories A and B in respect of

Belarus and Ukraine, for product categories A and D in respect of Tajikistan and for product categories A and F in respect of Kazakhstan.

(13) 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 and D to Jamaica and Vietnam and for product category D to Ecuador.

(14) The Commission has received and examined a request from 'IMOswiss AG' 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 the United Arab Emirates, for product categories A and D to Burundi, for product category B to Mexico and Peru and for product category C to Brunei, China, Hong Kong, Honduras, Madagascar and the United States. In addition, 'IMOswiss AG' has informed the Commission that it has ceased its certification activities in Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan, Russia and Tajikistan. It should therefore no longer be listed for those countries in Annex IV to Regulation (EC) No 1235/2008.

(15) The Commission has received and examined a request from 'Kiwa BCS Öko-Garantie GmbH' 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 Zambia, for product category B to Laos, Myanmar/Burma and Thailand, for product category C to Hong Kong, Indonesia and Sri Lanka and for product categories C and E to Bangladesh.

(16) The Commission has received and examined a request from 'Mayacert' 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 Colombia, the Dominican Republic and El Salvador, for product categories A and D to Belize and Peru and for product category B to Guatemala, Honduras and Nicaragua.

(17) 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 Bangladesh, China, Ghana, Cambodia, Laos, Myanmar/Burma, Oman, Russia and Saudi Arabia.

(18) The Commission has received and examined a request from 'Oregon Tilth' 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 product category E in respect of Mexico.

(19) The Commission has received and examined a request from 'Organic Certifiers' 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 Indonesia.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/2259. (See end of Document for details)*

(20) The Commission has received and examined a request from 'Organska Kontrola' 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 product category B for all countries.

(21) 'QC&I GmbH' 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.

(22) The Commission has received and examined a request from 'Suolo e Salute 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 category A to the Dominican Republic and Egypt and to extend the scope of its recognition to product category D in respect of the Dominican Republic.

(23) Any reference to Taiwan in Annex IV to Regulation (EC) No 1235/2008 should be understood as a reference to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

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

(25) 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, 15 December 2016.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/2259. (See end of Document for details)*

ANNEX I

In Annex III to Regulation (EC) No 1235/2008, in the entry relating to the Republic of Korea, point 5 is amended as follows:

(1) the row relating to code number KR-ORG-003 (Bookang tech) is deleted;

(2) the following rows are added:

KR-ORG-013	Hansol Food, Agriculture, Fisher-Forest Certification Center	www.hansolnonglim.com
KR-ORG-021	ISC Agriculture development research institute	www.isc-cert.com
KR-ORG-022	Greenstar Agrifood Certification Center	www.그린스타.com

ANNEX II

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

(1) after the entry relating to '**Abcert AG**' the following new entry is inserted:
"A CERT European Organization for Certification S.A."

1. Address: 2 Tilou street, 54638 Thessaloniki, Greece
2. Internet address: www.a-cert.org
3. Code numbers, third countries and product categories concerned:

Code number	**Third country**	**Category of products**					
		A	**B**	**C**	**D**	**E**	**F**
AL-BIO-171	Albania	x	—	—	x	—	—
AZ-BIO-171	Azerbaijan	x	—	—	x	—	—
BT-BIO-171	Bhutan	x	—	—	x	—	—
BY-BIO-171	Belarus	x	—	—	x	—	—
CL-BIO-171	Chile	x	—	—	x	—	—
CN-BIO-171	China	x	—	—	x	—	—
DO-BIO-171	Dominican Republic	x	—	—	x	—	—