Commission Implementing Regulation (EU) 2015/931 of 17 June 2015 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) 2015/931

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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) Commission Regulation (EC) No 1235/2008[(2)] provides for a period for the control bodies and control authorities to submit their request for recognition for the purpose of compliance in accordance with Article 32 of Regulation (EC) No 834/2007. As the implementation of the provisions regarding the import of compliant products is still under assessment and the related guidelines, models, questionnaires and the necessary electronic transmission system are still under development, the deadline for the submission of requests by control bodies and control authorities should be extended.

(2) For the sake of simplification and efficiency of the recognition procedure of control bodies and control authorities for the purpose of compliance and equivalence, the representatives of those control bodies or control authorities should be allowed to introduce requests for inclusion in the lists provided for in Articles 3 and 10 of Regulation (EC) No 1235/2008 at any time of the year. The annual deadline by which such requests are to be received should therefore be deleted.

(3) Annex III to Regulation (EC) No 1235/2008 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.

(4) According to the information provided by Australia, the relevant competent authority has changed.

(5) According to the information provided by Japan, the name and internet address of several of its control bodies have changed.

(6) On the basis of the information provided by the Republic of Korea, the internet address of the relevant competent authority should be included.

(7) The duration of the inclusion of Tunisia in the list ends on 30 June 2015. Following corrective measures and improvements made by Tunisia as regards its control system, it is appropriate to prolong the inclusion of Tunisia in Annex III to Regulation (EC) No 1235/2008 for an unspecified period.

(8) The duration of the inclusion of the United States in the list ends on 30 June 2015. Given that the United States continues to satisfy the conditions laid down in Article 33(2) of Regulation (EC) No 834/2007, the inclusion should be prolonged for an unspecified period.

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

(10) The Commission has received and examined a request from 'Abcert AG' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Albania, Armenia, Bosnia and Herzegovina, Kosovo[(3)], Kyrgyzstan, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Tajikistan, Turkmenistan and Uzbekistan, and for product category B to Moldova.

(11) The Commission has received and examined a request from 'Afrisco Certified Organic, CC' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the scope of its recognition for Namibia, South Africa, Swaziland, Zambia and Zimbabwe to product category B.

(12) The Commission has received and examined a request from 'Agreco R.F. Göderz GmbH' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Bolivia, Bosnia and Herzegovina, Burkina Faso, Cambodia, Cape Verde, Colombia, Cuba, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, the former Yugoslav Republic of Macedonia, Georgia, Guatemala, Honduras, Indonesia, Iran, Kazakhstan, Kenya, Kyrgyzstan, Madagascar, Mali, Montenegro, Nepal, Nicaragua, Nigeria, Papua New Guinea, Paraguay, Peru, the Philippines, Samoa, Senegal, Serbia, the Solomon Islands, South Africa, Sri Lanka, Suriname, Tanzania, Thailand, Togo, Tonga, Turkmenistan, Tuvalu, Uganda, Uzbekistan, Venezuela, and Vietnam, and for product category D to Burkina Faso, Colombia, Cuba, Ethiopia, Guatemala, Honduras, Kenya, Mali, Mexico, Nepal, Nicaragua, Nigeria, Papua New Guinea, Paraguay, the Philippines, Senegal, South Africa, Sri Lanka, Suriname, Tuvalu, Uganda, Uruguay and Vietnam.

(13) 'Austria Bio Garantie GmbH' informed the Commission that it ceased its certification activities in all third countries for which it was recognised.

(14) 'BCS Öko-Garantie GmbH' notified the Commission of the change of its name to 'Kiwa BCS Öko-Garantie GmbH'.

(15) In addition, the Commission has received and examined a request from 'BCS Öko-Garantie' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category B to Kenya, Mongolia, the United Arab Emirates and Vietnam, for product category E to Kenya and Mongolia, and for product category F to Bangladesh, Bhutan, Colombia, Fiji, Nepal, Papua New Guinea, Singapore and South Africa.

(16) The Commission has received and examined a request from 'Bioagricert S.r.l.' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Iran and Vietnam.

(17) The Commission has received and examined a request from 'Bio Latina Certificadora' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Nicaragua and Peru. Furthermore, 'Bio Latina Certificadora' informed the Commission that it ceased its certification activities for product category C in Peru.

(18) The Commission has received and examined a request from 'Caucacert Ltd' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the scope of its recognition for Georgia to product categories B and F.

(19) The Commission has received and examined a request from 'CCPB Srl' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Mali. Furthermore, 'CCPB Srl' informed the Commission that it changed address.

(20) The Commission has received and examined a request from 'CERES Certification of Environmental Standards GmbH' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Cambodia, El Salvador, Guatemala, Honduras, Laos, Madagascar, Malaysia, Mozambique, Myanmar/Burma, Namibia, Nicaragua, Panama, Samoa, Timor-Leste, Uruguay, Venezuela and Zimbabwe, for product category B to Myanmar/Burma and Uruguay, for product category D to Cambodia, El Salvador, Guatemala, Honduras, Laos, Madagascar, Malaysia, Mozambique, Myanmar/Burma, Namibia, Nicaragua, Panama, Samoa, Timor-Leste, the United Arab Emirates, Uruguay, Venezuela and Zimbabwe, and for product category F to China, the former Yugoslav Republic of Macedonia and Serbia.

(21) The Commission has received and examined a request from 'Certificadora Mexicana de productos y procesos ecológicos S.C.' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Colombia.

(22) The Commission has received and examined a request from 'Control Union Certifications' to amend its specifications. The examination of the information received

led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Algeria, Azerbaijan, Bolivia, Chile, El Salvador, Guatemala, Nicaragua, Russia, Sudan and The Gambia, for product category B to Azerbaijan, Bolivia, Chile, El Salvador, Guatemala, Nicaragua, Russia, Sudan and The Gambia, for product category C to Algeria, Azerbaijan and Russia, for product category D to Algeria, Azerbaijan, Bolivia, Chile, El Salvador, Guatemala, Nicaragua, Russia, Sudan and The Gambia, and for product categories E and F to Azerbaijan and Russia.

(23) The Commission has received and examined a request from 'Ecocert SA' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Ethiopia and Taiwan, for product category C to Japan, for product category D to Chile and Taiwan and for product category E to Colombia and Cuba.

(24) The Commission has received and examined a request from 'Ecoglobe' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the scope of its recognition for Afghanistan, Armenia, Belarus, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan to product category B.

(25) In recent months the Commission received several notifications from Member States concerning high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming according to Regulation (EC) No 834/2007 and Commission Regulation (EC) No 889/2008[(4)]. The goods in question had been certified under Regulation (EC) No 834/2007 by 'Ekolojik Tarim Kontrol Organizasyonu' (ETKO). Following information received by the Commission from ETKO and an on-the-spot examination of its activities by its accreditation body, serious deficiencies in the checks carried out and a substantial number of non-conformities were documented, which all together indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed. In such circumstances the risk exists for the consumer to be misled about the true nature of the products certified by ETKO. Consequently, ETKO should be withdrawn from the list in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

(26) The Commission has received and examined a request from 'IMO Control Latinoamérica Ltda.' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Panama and Suriname.

(27) The Commission has received and examined a request from 'IMO-Control Sertifikasyon Tic. Ltd Şti' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the scope of its recognition for Turkey to product categories B and E.

(28) 'IMO Institut für Marktökologie GmbH' informed the Commission that it ceased its certification activities in all third countries for which it was recognised.

(29) 'Indocert' informed the Commission that it ceased its certification activities for product category C.

(30) The Commission has received and examined a request from 'IMOswiss AG' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Cambodia, Iran, Laos, Malaysia, Myanmar/Burma, Oman, Saudi Arabia, Suriname and The Gambia, for product category B to Ethiopia and for product category D to the Bahamas, Cambodia, Honduras, Iran, Laos, Malaysia, Myanmar/Burma, Oman, Saudi Arabia and The Gambia.

(31) The Commission has received and examined a request from 'Istituto Certificazione Etica e Ambientale' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Côte d'Ivoire.

(32) The Commission has received and examined a request from 'LACON GmbH' to amend its specifications. The examination of the information received led to the conclusion that the scope of its recognition for product category D can include wine. Furthermore, it is justified to extend the geographical scope of its recognition for product category A to Bhutan, Brazil, Indonesia, Mauritius, Nigeria, Senegal, Sri Lanka, Uganda and the United Arab Emirates, for product category B to Madagascar, Morocco, Senegal, Serbia and Tanzania, and for product category D to Bhutan, Brazil, Indonesia, Mali, Mauritius, Nigeria, Senegal, Sri Lanka, and Uganda.

(33) The Commission has received and examined a request from 'Letis SA' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to the Cayman Islands, Ecuador and Mexico, and for product category D to the Cayman Islands and Ecuador.

(34) The Commission has received and examined a request from 'NASAA Certified Organic Pty Ltd' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to China.

(35) The Commission has received and examined a request from 'Organic Control System' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product categories A and D to Montenegro.

(36) The Commission has received and examined a request from 'Organic Standard' to amend its specifications. The examination of the information received led to the conclusion that it is justified to extend the geographical scope of its recognition for product category A to Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia and Uzbekistan, for product category B to Georgia and for product category D to Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia and Uzbekistan. The information received led furthermore to the