



EUROPEAN COMMISSION

Brussels, **XXX**  
[...] (2012) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) No .../..**

**of XXX**

**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) No .../..**

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(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 labeling of organic products and repealing Regulation (EEC) No 2092/91<sup>1</sup>, and in particular Article 33(2) and (3) and Article 38(d) thereof,

Whereas:

- (1) Specific traceability systems have been developed by governments or private associations in certain third countries. In the light of experience gained, control bodies or control authorities certifying organic products imported from those countries should be allowed to indicate on the certificate of inspection specific references to those systems in order to improve the traceability of products.
- (2) Commission Regulation (EC) No 1235/2008<sup>2</sup> does not require the indication of the code number of the control body or control authority on the certificate of inspection for imported organic products. In order to trace back the control body or control authority and the regime under which a product was imported, the code number of the control body or control authority should be indicated in box 1, 6, 10 and 11 of the certificate of inspection and in box 1, 6 and 10 of the extract of that certificate.
- (3) Regulation (EC) No 1235/2008 should therefore be amended accordingly.
- (4) In order to ensure the smooth transition from the existing import system for organic products to the new provisions relating to the model of certificate of inspection, the origin of imported products and the recognised authorities or bodies, a later date of application should be provided for.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

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<sup>1</sup> OJ L 189, 20.7.2007, p. 1.

<sup>2</sup> OJ L 334, 12.12.2008, p. 25.

HAS ADOPTED THIS REGULATION:

*Article 1*

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

(1) Article 13 is amended as follows:

In the first subparagraph of paragraph 4,

- (a) "box 15" is replaced by "box 16";
- (b) In points (a), (b) and (c) of paragraph 7, "box 16" is replaced by "box 17";
- (c) In paragraph 8, "box 17" is replaced by "box 18";
- (d) In the first subparagraph of paragraph 9, "box 18" is replaced by "box 19".

(2) Article 14(2) is amended as follows:

- (a) In the second subparagraph, "box 14" is replaced by "box 15";
- (b) In the fifth subparagraph, "box 15" is replaced by "box 16".

(3) Annex V is replaced by the text set out in Annex I to this Regulation.

(4) Annex VI is replaced by the text set out in Annex II to this Regulation.

*Article 2*

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

It shall apply from 1 January 2014.

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

Done at Brussels,

*For the Commission*  
*The President*  
[\[...\]](#)

**ANNEX I**

**"Annex V**

**Model of the certificate of inspection for import of products from organic production into the European Union referred to in Article 13**

The model of the certificate is determined with regard to:

- the text,
- the format, on one single sheet
- the layout and the dimensions of the boxes.

**CERTIFICATE OF INSPECTION  
FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN UNION**

1. Issuing body or authority (name, address and code number)	2. Council Regulation (EC) No 834/2007, Article 33(2) <input type="checkbox"/> or Article 33(3) <input type="checkbox"/> or Commission Regulation (EC) No 1235/2008, Article 19 <input type="checkbox"/>	
3. Serial number of the certificate of inspection	4. Reference No authorisation under Article 19 of Regulation (EC) No 1235/2008	
5. Exporter (name and address)	6. Control body or control authority (name, address and code number)	
7. Producer or preparer of the product (name and address)]	8. Country of dispatch	
	9. Country of destination	
10. First consignee in the European Union (name, address and code number of the control authority or control body)	11. Name, address, code number of the control authority or control body and EORI number of the importer	
12. Marks and numbers. Lot numbers. Container numbers and container seal numbers. Number and kind. Trade name of the product	13. CN codes	14. Declared quantity
	15. Other	
<p>16. Declaration of body or authority issuing the certificate referred to in box 1.</p> <p>This is to certify that this certificate has been issued on the basis of the checks required under Article 13(4) of Regulation (EC) No 1235/2008 and that the products designated above have been obtained in accordance with rules of production and inspection of the organic production method which are considered equivalent in accordance with Regulation (EC) No 834/2007.</p> <p>Date:</p> <p>Name and signature of authorised person <span style="margin-left: 200px;">Stamp of issuing authority or body</span></p>		

17. Declaration of the competent authority of the Member State of the European Union who granted the authorisation or its designate.

This is to certify that the products designated above have been authorised for marketing in the European Union in accordance with the procedure of Article 19 of Regulation (EC) No 1235/2008, under the authorisation number mentioned in box 4.

Date

Name and signature of the authorised person

Stamp of the competent authority or its designate in the Member State

18. Verification of the consignment by the relevant authority of the Member State.

Member State: .....

Import registration (type, number, date and office of the customs declaration) : .....

Date: .....

Name and signature of authorised person

Stamp

19. Declaration of the first consignee

This is to certify that the reception of the goods has been carried out in accordance with Article 34 of Regulation (EC) No 889/2008.

Name of the company

Date

Name and signature of the authorised person

## Notes

Box 1: Authority or body or other designated authority or body as referred to in Article 13(3) of Regulation (EC) No 1235/2008. Code number as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008. This body also completes boxes 3 and 15.

Box 2: This box indicates the Union Regulations which are relevant for the issue and use of this certificate; indicate the relevant provision.

Box 3: The serial number of the certificate given by the issuing body or authority in accordance with Article 13(4) of Regulation (EC) No 1235/2008.

Box 4: The authorisation number in case of import under Article 19 of Regulation (EC) No 1235/2008. This box is completed by the issuing body, or when the information is not yet available at the time the issuing body endorses box 15, by the importer.

Box 5: Name and address of the exporter.

Box 6: Control body or authority for monitoring compliance of the last operation (production, preparation, including packaging and labelling) with the rules of the organic production methods in the third country of dispatch. Code number as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008.

Box 7: Operator who carried out the last operation (production, preparation, including packaging and labelling) on the consignment in the third country mentioned in box 8.

Box 9: Country of destination means the country of the first consignee in the European Union.

Box 10: Name, and address of the first consignee of the consignment in the European Union. Code number as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008 of the body or authority under whose control the first consignee is placed. The first consignee shall mean the natural or legal person where the consignment is delivered and where it will be handled for further preparation and or marketing. The first consignee shall also complete box 19.

Box 11: Name and address of the importer as well as the code number as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008 of the body or authority under whose control the importer is placed. Economic Operators Identification and Registration (EORI) number of the importer as established under Commission Regulation (EEC) No 2454/93(\*). The importer shall mean the natural or legal person within the European Union who presents the consignment for release for free circulation into the European Union, either on its own, or through a representative.

Box 13: Combined Nomenclature codes for the products concerned.

Box 14: Declared quantities, specified for each different Combined Nomenclature code in box 13, expressed in appropriate units (kg of net mass, litre, etc).

Box 15: Remarks or additional information by the body or authority issuing the certificate. If no remarks or additional information is provided, the text "nil" must be entered.

Box 16: Declaration of body or authority issuing the certificate. The signature and the stamp must be in a colour different to that of the printing.

Box 17: Only for imports under the procedure laid down in Article 19 of Regulation (EC) No 1235/2008. To be completed by the competent authority in the Member State which granted the authorisation, or by the delegated body or authority in case of delegation in accordance with Article 13(7)(b) of Regulation (EC) No 1235/2008. Not to be completed where the derogation of Article 13(7)(c) of Regulation (EC) No 1235/2008 applies.

Box 18: Shall be completed by the relevant Member State's authority either at the verification of the consignment in accordance with Article 13(1) of Regulation (EC) No 1235/2008, or before the preparation or or splitting operation in the circumstances referred to in Article 14 of that Regulation.

Box 19: Shall be filled in by the first consignee at the reception of the products, when he has carried out the checks provided for in Article 34 of Regulation (EC) No 889/2008.

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(\* OJ L 253, 11.10.1993, p. 1."



**ANNEX II**

**"ANNEX VI**

**Model of the extract of the certificate of inspection  
referred to in Article 14**

The model of the extract is determined with regard to:

- the text,
- the format,
- the layout and the dimensions of the boxes

**EXTRACT No.....OF THE CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM  
ORGANIC PRODUCTION INTO THE EUROPEAN UNION**

1. Body or authority having issued the underlying certificate of inspection (name, address and code number)	2. Council Regulation (EC) No 834/2007, Article 33(2) <input type="checkbox"/> or Article 33(3) <input type="checkbox"/> or Commission Regulation (EC) No 1235/2008, Article 19 <input type="checkbox"/>	
3. Serial number of the underlying certificate of inspection	4. Reference No authorisation under Article 19 of Regulation (EC) No 1235/2008	
5. Operator having split the original consignment into batches (name and address)	6. Control body or authority (name, address and code number)	
7. Name and address of the importer of the original consignment	8. Country of dispatch of the original consignment	9. Total declared quantity of the original consignment
10. Consignee of the batch obtained from splitting (name and address)		
11. Marks and numbers. Lot numbers. Container numbers and container seal numbers. Number and kind. Trade name of the batch.	12. CN code	13. Declared quantity of the batch
14. Other		
<p>15. Declaration of the relevant authority of the Member State endorsing the extract of the certificate.</p> <p>This extract corresponds to the batch described above and obtained by the splitting of a consignment which is covered by an original certificate of inspection with the serial number mentioned in box 3</p> <p>Member State: .....</p> <p>Date: .....</p> <p>Name and signature of authorised person <span style="float: right;">Stamp</span></p>		
<p>16. Declaration of the consignee of the batch</p> <p>This is to certify that the reception of the batch has been carried out in accordance with the Article 33 of Regulation (EC) No 889/2008.</p> <p>Name of the company</p> <p>Date:</p> <p>Name and signature of the authorised person</p>		



Notes

Extract No ..... The extract number corresponds to the number of the batch obtained from the splitting of the original consignment

Box 1: Name, address and code number as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008 of the body or authority in the third country having issued the underlying certificate of inspection.

Box 2: This box indicates the Union Regulations which are relevant for the issue and use of this extract; indicate the relevant provision under which the underlying consignment was imported, see box 2 of the underlying certificate of inspection.

Box 3: The serial number of the underlying certificate which was given by the issuing body of authority in accordance with Article 13(4) of Regulation (EC) No 1235/2008.

Box 4: Reference No of the authorisation granted under Article 19 of Regulation (EC) No 1235/2008, see box 4 of the underlying certificate of inspection.

Box 6: Control body or authority in charge of controlling the operator having split the consignment. Code number of that body or authority as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008.

Boxes 7, 8 and 9: See relevant information on the underlying certificate of inspection.

Box 10: Consignee of the batch (obtained from the splitting) in the European Union. Code number of as referred to in Article 7(2)(f) or in Article 10(2)(a) of Regulation (EC) No 1235/2008 of the body or authority under whose control the consignee is placed.

Box 12: Combined Nomenclature codes for the batch of the products concerned.

Box 13: Declared quantity, expressed in appropriate units (kg of net mass, litre, etc).

Box 14: Remarks or additional information by the body or authority issuing the underlying certificate of inspection. If no remarks or additional information is provided, the text "nil" must be entered.

Box 15: Shall be completed by the relevant Member State's authority for each of the batches resulting from the splitting operation referred to in Article 14(2) of Regulation (EC) No 1235/2008.

Box 16: Shall be filled up at the reception of the batch, when the consignee has carried out the checks provided for in Article 33 of Regulation (EC) No 889/2008."