## Importing into the EU - Council Regulation (EEC) No 1991/2006

Report on the presentation held at BioFach, 23.02.2008, by Herman Van Boxem (European Commission, Agriculture and rural development Directorate-General Unit F5 - Organic farming) compiled by Beate Huber, FiBL

#### IMPORTS before 1.1.2007

All imports are based on an assessment of equivalency with EU Regulation 2092/91. There are two options:

- 1.) Third Country List
- 2.) Member State Authorizations

#### IMPORTS after 1.1.2007

Imports either have to meet EU Regulation 2092/91 (compliance) or have to meet equivalent standards to the EU Regulation. There are following options:

### 1.) Compliance

a.) control body list for compliance (not yet published, implementation procedures still need to be elaborated)

### 2.) Equivalence

- a) Third Country List
- b) Control Body List (not yet published, implementation procedures still need to be elaborated)
- c) Member State Authorizations

### EU Regulation 834/2007:

### Direct access: compliance

### 32.1 Compliance

- a. product complies with Titles II, III and IV of 834/2007
- b. operators have submitted activity to inspection body/authority listed on new list (see 32.2)
- c. operators able to provide documentary evidence

### 32.2 Controls on compliance in third countries

- List of bodies/authorities by Commission
- Bodies ISO 65 accredited
- Bodies/authorities to send information
- Assessment reports by accreditation bodies or authorities
- Supervision by Commission and Member States

# Equivalence

#### Definition

Different systems or measures, capable of meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity.

#### Reference

EC rules. Assessment shall take into account Codex Alimentarius Guidelines CAC/GL 32

# 33.1 General conditions equivalence

- a. equivalent production standards
- b. equivalent control arrangements
- c. controls
  - by control system and control body on third country list 33.2
  - by body on control body list 33.3
- d. product comes with certificate from bodies in c. (as in 1788/2001)

# 33.2 List of third countries for equivalence

(As previously in 11.1),

- Examination documented request third country
- On-the-spot expert examination possible
- Annual report
- Commission and Member State supervision

# 33.3 List of control bodies for equivalence

For products other than art. 32 or 33.2

- Examination documented request control body
- Regular on-the-spot evaluation
- Provide assessment reports
- On-the-spot examination possible
- Supervision by Commission and Member States based on assessment reports

### Implementing rules for articles 32 and 33

- First working document (16.11.2007)
- Discussion with Member States and Stakeholders
- Content:
  - Simple provisions
  - Lists (3)
  - Model import certificate (from reg.1788)

#### Elements considered

- Reference to standards needed in all cases
- Assessment reports have to include equivalence judgement
- Making updated list of operators available on the internet

# Key issues to be decided

- Transition: MS authorisations until x months after first list is published. Goal is smooth transition.
- Timing and priorization
- Co-operation with Member States
- Guidance documents/procedures
- Complaints mechanism?

# **Next steps**

- 1. Legal proposal for implementing rules
- 2. Discussion COM, MS, stakeholders
- 3. Decision SCOF, publication
- 4. Applications of CBs
- 5. Assessment of applications
  - \*\*\* MS authorisations continue \*\*\*
- 6. Publication of list
  - \*\*\* MS authorisations phase out \*\*\*

# F.A.Q.

- 1. Can CBs already introduce applications?
  - -> it is recommended to wait until implementation rules are approved.
- 2. What will happen to the list of third countries?
  - -> Will be taken over. The EU expects the list to be extended soon.
- 3. How long will it take before the first list is published?
- 4. Is compliance better than equivalence?
  - No
- 5. Why is there no transaction certificate for compliant imports? Documentary evidence is requested, as for operators in EU.