New import rules of EU – reasons, process and stakeholder concerns

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Reasons for new import regulation

- Action plan for organic food and farming of June 2004 (Action point 18)
- Deadline in current regulation for a new system from 2007 on

- Discrepancies between what was in the regulation and the reality in practice => Disadvantages of the current system!
Disadvantages of current import system
(described in the European Action Plan 2004, EU COM Paper)

1. System with third party country list:
   > System is not accessible for operators in third countries without a public supervision system and
   > requires substantial staff resources at EU level.

2. System: Import certificate system on the Member level
   > System is not fully harmonised and some of the work is duplicated.
   > It relies mainly on declarations from the inspection bodies involved and on third party accreditation of these inspection bodies. (since 2001 unique obligatory import certificate)
   > The system requires substantial staff resources at Member State level and puts considerable administrative burden on importers.
European Action plan for organic food and farming 2004 – Action Point 18

> Step up efforts to include third countries in the equivalency list, including on-the-spot assessments.

> Amend Council Regulation (EEC) No 2092/91 on organic farming, replacing the current national derogation for imports by a new permanent system making use of technical equivalency evaluations by bodies assigned by the Community for that purpose.

> This could include developing a single and permanent Community list of inspection bodies recognised as equivalent for their activities in third countries not already on the equivalency list.

> Continue to ensure that the definition of equivalence with third countries takes into account the different climate and farming conditions and the stage of development of organic farming in each country.

> Upon entry into force of this system, offer all imported products access to the EU logo.
Discussion and decision process in the EU of last year

> First draft December 2005 for a new Council regulation
  > Introduction of new system

> Main criticism from the private sector and EU Member states:
  > too strong importance given to Codex Guidelines
  > no reference to established private accreditation systems (e.g. IFOAM)
  > Supervision of control bodies unclear

> Final version (under Finnish Presidency) decided by the EU Council 21 of December 2006
  > more precise wording regarding the supervision of control bodies
  > Codex Alimentarius Guidelines – take into account

> Import rules are already concluded and apply from 1 January 2007.
Concerns and questions of the private sector, connected with the new rules?
(e.g. from workshops of ORGAP Evaluation-Project in January 2007)

1. The Codex Alimentarius Guidelines are introduced as an additional criterion for accordance.
   > Unclear if the less strict Codex-standard or the EU-Regulation applies.

2. The supervision of all proposed systems needs significant resources and capacities!
   > Unclear if sufficient resources and capacities for supervision and on the spot-checks are made available by the EU and/or national governments.
Proposed structure for discussion

Block I: Questions of clarification

Block II: General questions and comments to the system practicability

Block III: Questions related to the planned implementation rules
What is needed to make the system efficient and credible?

> The quality of the made arrangements and with it equivalence of imported goods stand or fall with the specification of the rules for implementing measures.

> Detailed Guidelines (or Codes of practices) have to be drawn up by the Commission. These Codes should guarantee a clear inspection of the accredited control bodies and particularly a fast dealing with complaints.

> Prescribe criteria to establish conformity respectively equivalency as well as the corresponding process.

> EU Commission should also set up a list of public and private accreditation bodies, which have significant knowledge and experiences with the control of organic food and farming (like IOAS)

> Provide sufficient resources for the monitoring. Either via EU-expert or an expert delegation.