

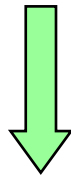
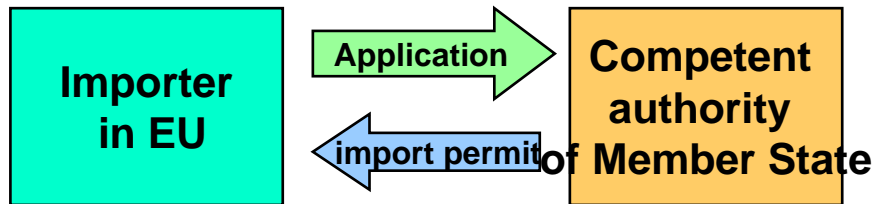
# Revised EU Import Rules

## Opportunities and risks

➤ Beate Huber

# The current import regime

# Import Regulation Old System



Checking documents to assess competency of Certification Body and equivalency with standards



# Acceptance of local CB's in EU

	Exports to EU
<b>China</b>	471 import permits 1 by Chinese CB 16 by non-Eur. CB's
<b>India</b>	5 (11) Indian CB's on Third Country List
<b>Peru</b>	190 import permits 24 by Peruvian CB 10 by US based CB's
<b>Tunesia</b>	86 import permits 0 by non-Europ. CB's

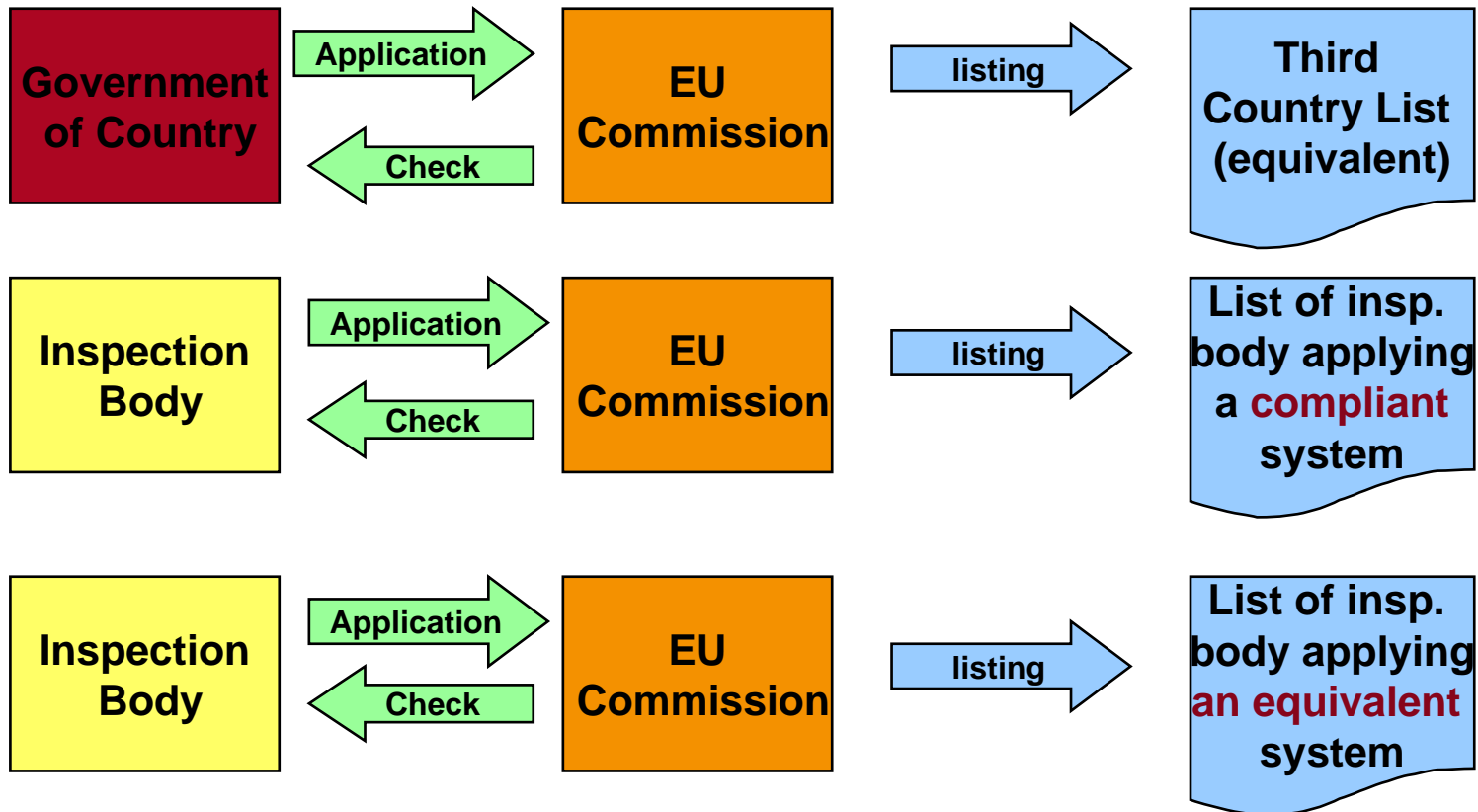


**import authorizations are mostly based on certification by European CB's**

# The coming import regime

**Implementation with  
publication of list of approved CB's  
In 2010?**

# EU Import Regulation New System



# Equivalence (currently only option)

„Equivalency is the capability to meet the **same objectives and principles** by applying rules which ensure the **same level of assurance** of conformity.“

- **No tools to assess equivalence**
  - Seeds: database? Treated seeds?
  - Conversion period
  - Flexibility rules
- **How to insure consistent application?**
- **Certificate of control mandatory**

# Compliance



- **WTO requirements requesting equal access to EU markets - facilitating trade**
- **Implementation of all details, e.g.**
  - **Database for seeds**
  - **Authorization for use of conventional seeds**
  - **No internal control system**
- **Compliance also in national supervisory system?**
  - **competent authority, supervision of CB's?**
- **No certificate of control (but documentary evidence)**



# Compliance

 **The more reliable option?**

- **EU Regulation focus on European conditions (climate, crops, socio-economy)**
- **Compliance does not allow for local adaption (e.g. database for seeds, water quality)**

 **compliance is not stricter than equivalence**  
 **but may be less effective**

# Opportunities

# Trade

- **Importer no longer being responsible to proof equivalency**
- **No more authorizations**
- **Reduction of bureaucracy**
- **In case of compliance procedure no more accompanying certificates.**



# Third country Certification Bodies:

- **No risk for importers with certificates from non-EU and/or small CB's if they are listed**
- **CB can prove recognition and do no longer depend on European importers**
- **Better chances for non-EU-CB's to enter the market for export certification**
- **Important to apply for recognition by the EU already in the first application round.**

# Risks and Concerns

# Supervision

- **Assessment of CB's require knowledge and experience of the EU Regulation 2092/91**
- **ISO 65/EN 45011 is a norm for certification neglecting inspection**
- **Approval delegated to member states**
- **Capacities EU Commission for coordination?**

- ➔ **consistent on-the-spot assessment of certification bodies in Third Countries**
- ➔ **auditors trained in the EU rules and with minimum qualification of organic inspectors**

# Non-organic requirements

- **E.g. burning of crops, water quality, some aspects of animal welfare are not EU Regulation 834/2007**
- **provision in EU Regulation 2092/91 that other EU regulations also apply**
- **never determined whether and how this is to be implemented for imported products**

# Conclusions - opportunities

- **Draft implementation rules provide suitable legal framework**
  - **Expected to be passed soon**
  - **12 month application deadline for CB's (equivalence)**
  - **24 months application deadline for CB's (compliance)**
  - **Implementation by 2010?**
- **Facilitating trade (less bureaucracy)**
- **Better access for non-EU certification bodies**



# Conclusions – risks and concerns

- **Consistent surveillance of European and non-European certification bodies**
  - **supervision system run by institutions qualified and trained for the specific requirements of the EU regulation**
  - **based on a common approach**
  - **Sufficient capacities within EU**
  
- **Assessment of compliance and equivalency of standards applied in third countries**
  - **Guidelines**
  - **Transparency (publication of assessment)**
  
- **Guidance is needed for dealing with non-organic provisions (e.g. water)**

Thank you very much