

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 practise => 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.**