

Commission Implementing Regulation (EU) 2020/25 of 13 January 2020 amending and correcting 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) 2020/25

of 13 January 2020

amending and correcting 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)

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 labelling 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) Regulation (EU) 2018/848 of the European Parliament and of the Council<sup>(2)</sup>, establishes that the scheme of control bodies and control authorities recognised by the Commission on the basis of Article 33(3) of Regulation (EC) No 834/2007 to carry out controls and to issue certificates in third countries for the purpose of importing products with equivalent guarantees will be replaced by a scheme of control bodies and control authorities recognised by the Commission for the purpose of importing compliant products. The new import scheme provided in Regulation (EU) 2018/848 will apply from 1 January 2021. In order to ensure that the necessary administrative capacities are available to provide for a timely recognition of control bodies and control authorities under the new scheme, it is appropriate to introduce a final date for receiving new requests for the recognition of control bodies and control authorities for the purpose of equivalence pursuant to Article 10 of Commission Regulation (EC) No 1235/2008<sup>(3)</sup> and the inclusion of such control bodies and control authorities in the list set out in Annex IV to that Regulation. Requests received after that date should no longer be admissible.
- (2) Products imported from a third country can be placed on the Union market as organic if they are covered by a certificate of inspection issued by the competent authorities, control authorities or control bodies of a recognised third country or by a recognised control authority or control body. In order to ensure compliance with the second subparagraph of Article 33(1) of Regulation (EC) No 834/2007, which requires the certificate of inspection to accompany the goods to the premises of the first consignee, and with a view to ensuring the traceability of the imported products during distribution, including transport from third countries, it should be clarified that the certificate of

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inspection is to be issued by the relevant control authority or control body at the moment the consignment leaves the third country of export or origin.

- (3) Annex III to Regulation (EC) No 1235/2008 sets out the list of third countries whose systems of production and control measures for organic production of agricultural products are recognised as equivalent to those laid down in Regulation (EC) No 834/2007.
- (4) Japan has informed the Commission that its competent authority has added the control body 'Akatonbo' to the list of control bodies recognised by Japan.
- (5) The Republic of Korea has informed the Commission that its competent authority has changed the name of 'Neo environmentally-friendly' and the name and internet address of 'Association for Agricultural Products Quality Evaluation'. The Republic of Korea has also informed the Commission that the recognition of the control body 'Korea Agricultural Product and Food Certification' has been withdrawn.
- (6) The United States has informed the Commission that its competent authority has added seven control bodies to the list of control bodies recognised by the United States for the purpose of the equivalence under Article 33(2) of Regulation (EC) No 834/2007, namely 'CERES', 'EcoLOGICA S.A', 'Food Safety S.A.', 'IBD Certifications', 'Istituto per la Certificazione Etica e Ambientale (ICEA)', 'OnMark' and 'Perry Johnson Registrar Food Safety, Inc.'. The United States has also requested the removal of 'Global Culture', 'Global Organic Certification Services', 'Stellar Certification Services, Inc.', 'Institute for Marketecology (IMO)', and 'Basin and Range Organics (BARO)' from the list in Annex III to Regulation (EC) No 1235/2008.
- (7) Annex IV to Regulation (EC) No 1235/2008 sets out the list of control authorities and control bodies competent to carry out controls and issue certificates in third countries for the purpose of equivalence.
- (8) The Commission has received and examined a request from 'A CERT European Organization for Certification S.A' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for product categories A and D to Armenia, Ghana, Kosovo<sup>(4)</sup>, Kuwait, Oman, Peru, Sudan, the United Arab Emirates, Uzbekistan and Vietnam.
- (9) The Commission has received and examined a request from 'Argencert SA' to be removed from the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to remove that control body from that list.
- (10) The Commission has received and examined a request from 'Balkan Biocert Skopje' to amend its legal status. Based on the information received, the Commission has concluded that it is justified to replace the name of that control body by 'Balkan Biocert Macedonia DOOEL Skopje'.
- (11) The Commission has received a request from 'Başak Ekolojik Ürünler Kontrol ve Sertifikasyon Hizmetleri Tic. Ltd' to amend its address.

- (12) The Commission has received and examined a request from ‘Bioagricert S.r.l.’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for product categories A, B, D and E to Paraguay and Uruguay, for product categories A, B and D to Bolivia and Sri Lanka, for product categories A, D and E to Cameroon, and for product categories A and D to Fiji.
- (13) The Commission has received and examined a request from ‘Biocert International Pvt Ltd’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Afghanistan, Bangladesh, Bhutan, Myanmar/Burma, Egypt, Malaysia, Mauritius, Nepal, Oman, Pakistan, the Philippines, Tanzania, Thailand, the United Arab Emirates and Vietnam for product categories A and D, to Benin, Ethiopia, Mozambique, Nigeria, Qatar, Russia, Sudan, Togo, Uganda and Ukraine for product categories A, D and E, and to Georgia for product categories D and E, and to extend its recognition for Sri Lanka to product category E.
- (14) The Commission has received and examined a request from ‘Bio.inspecta AG’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Montenegro, North Macedonia and Serbia for product categories A, B, D, E and F, and to extend the scope of its recognition for Albania, Bosnia and Herzegovina, Georgia, Iran, Kazakhstan, Kosovo<sup>(5)</sup>, Moldova, Russia, Tajikistan, Ukraine, Uzbekistan and Vietnam to product categories B, E and F, for Armenia, Lebanon and Tanzania to product categories B and E, for Algeria and Kyrgyzstan to product category B, for Turkey to product categories E and F, and for Azerbaijan to product category E.
- (15) The Commission has received and examined a request from ‘Bureau Veritas Certification France SAS’ to amend its internet address and its specifications. Based on the information received, the Commission has concluded that it is justified to withdraw its recognition for product category E in respect of Mauritius.
- (16) The Commission has received and examined a request from ‘CCPB Srl’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Burkina Faso, Cameroon, Comoros and Madagascar for product categories A, C and D, and to extend the scope of its recognition for Côte d’Ivoire to product categories C and D.
- (17) The Commission has received and examined a request from ‘CERES Certification of Environmental Standards GmbH’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to the United States for product category C, and to extend the scope of its recognition for the United Arab Emirates to product category A, for Chile to product category C, and for South Africa to product category F.
- (18) The Commission has received and examined a request from ‘DQS Polska sp. z o.o.’ to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that

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control body for Bosnia and Herzegovina, China and Madagascar for product categories A, B and D.

- (19) The Commission has received and examined a request from ‘Ecocert SA’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for the United Arab Emirates, Cuba, Kuwait and Malawi to product category B, for Serbia and Zimbabwe to product category E, and for Moldova to product category F.
- (20) The Commission has received and examined a request from ‘FairCert Certification Services Pvt Ltd’ to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise that control body for Bhutan and Nepal for product categories A, B, D and E, and for India for product categories B, D and E.
- (21) The Commission has received and examined a request from ‘IBD Certificações Ltda.’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Bolivia and Paraguay for product category A and D, and to Mongolia for product categories A and E.
- (22) The Commission has received and examined a request from ‘Kiwa BCS Öko-Garantie GmbH’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Seychelles for product categories A and D, and to the United States for product category C, and to extend the scope of its recognition for Armenia, Georgia, Tajikistan, Uzbekistan and Zambia to product category B, for Guatemala to product categories C and F, and for the Dominican Republic, Ecuador, Honduras, Paraguay, Peru, Serbia, and Turkey to product category F.
- (23) The Commission has received and examined a request from ‘Mayacert’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Panama and Sri Lanka for product categories A and D.
- (24) The Commission has received and examined a request from ‘OneCert International PVT Ltd’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Egypt, Jordan, Malaysia and Qatar for product categories A and D, and to extend the scope of its recognition for the United Arab Emirates to product category A, and for Ethiopia, India, Mozambique, Tanzania and Uganda to product category E.
- (25) The Commission has received and examined a request from ‘Organización Internacional Agropecuaria’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to Colombia for product categories A and D, and to extend the scope of its recognition for Chile and Uruguay to product category E, except for those products already covered by Annex III to Regulation (EC) No 1235/2008.
- (26) The Commission has received and examined a request from ‘Servicio de Certificación CAAE S.L.U’ to amend its specifications. Based on the information received, the

Commission has concluded that it is justified to extend the scope of its recognition to Colombia, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama for product categories A and D.

- (27) The Commission has received and examined a request from ‘Suolo e Salute srl’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for Egypt to product category D.
- (28) The Commission has received and examined a request from ‘Tse-Xin Organic Certification Corporation’ to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to the Republic of Korea for product category A, to Hong Kong and Singapore for product category D, and to Cambodia, Indonesia, Laos, Malaysia, Myanmar/Burma, the Philippines, Thailand and Vietnam for product categories A and D.
- (29) The Commission has received and examined a request from ‘Valsts SIA “Sertifikācijas un testēšanas centrs”’ to amend its legal status. Based on the information received, the Commission has concluded that it is justified to replace the name of that control body by ‘SIA “Sertifikācijas un testēšanas centrs”’. In addition, the Commission has received and examined a request from that control body to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition for Belarus to product categories B, D, E and F, and for Uzbekistan to product categories D, E and F, and to extend the scope of its recognition to Kazakhstan, Moldova and Tajikistan for product categories A, B, D, E and F, and to Kyrgyzstan for product categories A, B, D and E.
- (30) On the basis of the dossier submitted by ‘Agricert — Certificação de Produtos Alimentares lda’, the scope of its recognition was extended to Guinea for product categories A and D by Commission Implementing Regulation (EU) 2019/39<sup>(6)</sup>. However, in that dossier that control body had wrongly requested an extension for Guinea instead of Guinea Bissau. Based on the information received, the Commission has concluded that it is justified to correct Annex IV to Regulation (EC) No 1235/2008 accordingly. In the interest of clarity and legal certainty, this correction should apply from the date of entry into force of Implementing Regulation (EU) 2019/39.
- (31) Regulation (EC) No 1235/2008 should therefore be amended and corrected accordingly.
- (32) The measures provided for in this Regulation are in accordance with the opinion of the Committee on organic production,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

#### **Amendments to Regulation (EC) No 1235/2008**

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