

Draft Commission Regulation: AGRI F.5 Working document – 25.03.2008

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

IFOAM appreciates the draft commission regulation which covers crucial elements to safeguard the organic integrity. IFOAM especially appreciates the requirement for comparison and implementation of the applied standards with the EU Regulation, the requirement of publication of certified and de-certified operators as well as the focus on the equivalent import procedures.

Below, the IFOAM EU Group recommends some adaptations to strengthen further the risk based approach and the assessment of the implementation of the system on-spot.

Art. 2, definitions: the term “assessment report” (=concise report of an independent body fulfilling the requirements of ISO 17011, which includes information on document reviews including comparisons according to Article 7 (2 b) and 10 (2 b), on office audits including critical locations and on risk-orientated witness audits conducted in representative third countries) and critical location (=location, where activities of a control body are conducted and controlled that determine or demonstrate the effectiveness of the control bodies performance of the recognized certification program according to Article 32 and 33 of Regulation (EEC) No. 834/2007) should be defined.

Art. 4, par.3: “Furthermore the Commission ‘shall’...” (replace “may”)

Art. 6, par.6: “or other address” delete squared brackets

Art. 7 par. 3: 3. When examining a request for inclusion, and also any time in risk-based intervals after its inclusion, the Commission ~~may request any further information, including the presentation of one or more on-the-spot examination reports established by dependent experts.~~ shall request on-the-spot examination reports established by independent experts and any other information deemed necessary. Furthermore, the Commission ~~may~~ shall organize ~~an~~ on-the-spot examinations by experts it designates with the assistance of the member states and independent experts.

Art. 8, par.3: ...has not supplied sufficient information... (insert “sufficient”)

Art. 8, par. 4: 4. The control body or control authority shall make available to the interested parties, by electronic means, a continuously updated list of operators and products certified as organic as well as suspended and decertified operators and products.

Art. 9, par. 2, last bullet point: delete squared brackets

Art. 10, Abs. 2 c: delete squared brackets

Art. 10, Abs. 3: 3. When examining a request for inclusion, and also any time after its inclusion, the Commission ~~may~~ shall request ~~any further information, including the presentation of one or more on-~~ on a risk-based approach on-the-spot examination reports established by independent experts and any other information deemed necessary. Furthermore, the Commission ~~may~~ shall organize ~~an~~ random on-the-spot examinations by experts it designates on a risk based approach and in case of suspected irregularities.

Art. 11, Abs. 4: ...as well as suspended and de-certified operators and products.
(insert)