



20 July 2023

(23-4942)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Imported organic products
5. Title, number of pages and language(s) of the notified document: Draft Commission Delegated Regulation amending Commission Delegated Regulation (EU) 2021/1342 as regards the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007 and the measures to be taken in the exercise of that supervision; (9 page(s), in English)
6. Description of content: Commission Delegated Regulation (EU) 2021/1342 supplements Regulation (EU) 2018/848 with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007 for imported organic products and the measures to be taken in the exercise of that supervision. In order to ensure the appropriate supervision of the third countries recognised under Article 33(2) of Regulation (EC) No 834/2007, the draft Regulation clarifies and further specifies provisions concerning actions to be taken by the competent authorities of third countries following a notification by the Commission of a substantiated suspicion of an irregularity or infringement. It also obliges those competent authorities to use a specific template for reporting about the investigation and actions taken. In addition, the draft Regulation clarifies and provides for further grounds for measures to be taken by the Commission in the exercise of its supervision of recognised third

countries, in particular grounds on which the Commission may withdraw the recognition of a third country.

In order to ensure the appropriate supervision of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007, the draft Regulation provides for additional rules on the procedures for the regular review of their recognition.

In particular, the draft Regulation provides for an obligation on control authorities and Control Bodies to notify the Commission in due time of the changes to its technical dossier. The draft Regulation also empowers the Commission to request any further information from the control authorities and control bodies at any time and to organise risk-based on the spot examinations of the control authorities and control bodies.

Furthermore, the draft Regulation provides that control authorities and control bodies must carry out certain checks before certifying new operators or groups of operators.

In addition, the draft Regulation clarifies and provides for further grounds for measures to be taken by the Commission in the exercise of its supervision of recognised control authorities and control bodies, in particular grounds on which the Commission may suspend or must withdraw the recognition of a control authority or control body.

Finally, considering that Member State authorities have acquired substantial experience and expertise in the field of granting access to imported organic goods into the Union, the draft Regulation provides specific provisions for the roles of Member State authorities in assisting the Commission with the review of the recognitions of third countries and control authorities and control bodies.

The draft rules will apply until end of 2024 as regards control authorities and control bodies and until end of 2026 as regards third countries.

7. Objective and rationale, including the nature of urgent problems where applicable:

Following the publication of Regulation (EU) 2018/848 of the European Parliament and of the Council on organic production and labelling of organic products and repealing Council Regulation (EC) No 803/2007, it was necessary to adopt Delegated Regulation (EU) 2021/1342 supplementing Regulation (EU) 2018/848 as regards rules on the supervision for the regular review of the recognition of third countries and control authorities and control bodies during the transitional periods.

This Regulation provides further clarification and additional measures to be taken by the Commission in the exercise of that supervision, including suspension or withdrawal of recognised third countries or control authorities and control bodies from the lists established pursuant to Articles 48(3) and 57(2) of Regulation (EU) 2018/848.

Moreover, this regulation provides specific provisions for the roles of Member State authorities in assisting the Commission with the review of the recognitions of third Countries and control authorities and control bodies.

This regulation aims to contribute to transparency, consumer confidence and protection, as well as to ensure that production processes do not harm the environment, human health, plant health or animal health and welfare.

Prevention of deceptive practices and consumer protection; Protection of human health or safety; Protection of animal or plant life or health; Protection of the environment

8. Relevant documents:

Regulation (EU) 2018/848 of the European Parliament and of the Council on organic production and labelling of organic products and repealing Council Regulation (EC) 834/2007: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R0848-20210101&qid=1612522667348>

Commission Delegated Regulation (EU) 2021/1342 of 27 May 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council

Regulation (EC) No 834/2007 for imported organic products and the measures to be taken in the exercise of that supervision

http://data.europa.eu/eli/req_del/2021/1342/oj

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.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32007R0834>

Commission Implementing Regulation (EU) 2021/2325 of 16 December 2021 establishing, pursuant to Regulation (EU) 2018/848 of the European Parliament and of the Council, the list of third countries and the list of control authorities and control bodies that have been recognised under Article 33(2) and (3) of Council Regulation (EC) No 834/2007 for the purpose of importing organic products into the Union

[EUR-Lex - 32021R2325 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2021/2325/oj)

9. Proposed date of adoption: November 2023

Proposed date of entry into force: .

10. Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

European Commission,
EU-TBT Enquiry Point,
Fax: + (32) 2 299 80 43,
E-mail: grow-eu-tbt@ec.europa.eu

The text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/>

https://members.wto.org/crnattachments/2023/TBT/EEC/23_11147_00_e.pdf