

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

TITLE VI

TRADE WITH THIRD COUNTRIES

Article 32

Import of compliant products

1 A product imported from a third country may be placed on the ^{F1}... market [^{F2}in Great Britain] as organic provided that:

- a the product complies with the provisions set out in Titles II, III and IV as well as with the implementing rules affecting its production adopted pursuant to this Regulation;
- b all operators, including the exporters, have been subject to control by a control authority or control body recognised in accordance with paragraph 2;
- c the operators concerned shall be able to provide at any time, to the importers or the national authorities, documentary evidence as referred to in Article 29, permitting the identification of the operator who carried out the last operation and the verification of compliance by that operator with points (a) and (b), issued by the control authority or control body referred to in point (b).

2 The [^{F3}Secretary of State must]^{F4}... recognise the control authorities and control bodies referred to in paragraph 1(b) of this Article, including control authorities and control bodies as referred to in Article 27, which are competent to carry out controls and to issue the documentary evidence referred to in paragraph 1(c) of this Article in third countries, and establish a list of these control authorities and control bodies.

The control bodies shall be accredited to the most recently [^{F5}published] version [^{F6}of] ISO Guide 65 (General requirements for bodies operating product certification systems). The control bodies shall undergo regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities by the accreditation body.

When examining requests for recognition, the [^{F7}Secretary of State] shall invite the control authority or control body to supply all the necessary information. The [^{F7}Secretary of State] may also entrust experts with the task of examining on-the-spot the rules of production and the control activities carried out in the third country by the control authority or control body concerned.

The recognised control bodies or control authorities shall provide the assessment reports issued by the accreditation body or, as appropriate, the competent authority on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

Based on the assessment reports, the [^{F8}Secretary of State] shall ensure appropriate supervision of the recognised control authorities and control bodies by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of the occurrence of irregularities or infringements of the provisions set out in this Regulation.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 834/2007, TITLE VI. (See end of Document for details)

Textual Amendments

- F1** Word in Art. 32(1) omitted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(a)(i)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), **5(2)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in Art. 32(1) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(a)(ii)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), **5(2)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 32(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 32(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **2(2)**
- F5** Word in Art. 32(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Art. 32(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 32(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 32(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(2)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 33

Import of products providing equivalent guarantees

1 A product imported from a third country may also be placed on the ^{F9}... market as organic provided that:

- a the product has been produced in accordance with production rules equivalent to those referred to in Titles III and IV;
- b the operators have been subject to control measures of equivalent effectiveness to those referred to in Title V and such control measures have been permanently and effectively applied;
- c the operators at all stages of production, preparation and distribution in the third country have submitted their activities to a control system recognised in accordance with paragraph 2 or to a control authority or control body recognised in accordance with paragraph 3;
- d the product is covered by a certificate of inspection issued by the competent authorities, control authorities or control bodies of the third country recognised in accordance with paragraph 2, or by a control authority or control body recognised in accordance with paragraph 3, which confirms that the product satisfies the conditions set out in this paragraph.

The original of the certificate referred to in this paragraph shall accompany the goods to the premises of the first consignee; thereafter the importer must keep the certificate at the disposal of the control authority or the control body for not less than two years.

[^{F10}The requirement set out in point (d) applies to organic products entering the United Kingdom from the European Union, an EEA state or Switzerland only on and after [^{F11}1 February 2025].]

2 The [^{F12}Secretary of State may]^{F13} ... recognise the third countries whose system of production complies with principles and production rules equivalent to those laid down in Titles II, III and IV and whose control measures are of equivalent effectiveness to those laid down in Title V, and establish a list of these countries. The assessment of equivalency shall take into account *Codex Alimentarius* guidelines CAC/GL 32.

When examining requests for recognition, the [^{F14}Secretary of State] shall invite the third country to supply all the necessary information. The [^{F14}Secretary of State] may entrust experts with the task of examining on-the-spot the rules of production and the control measures of the third country concerned.

By 31 March of each year, the recognised third countries shall send a concise annual report to the [^{F15}Secretary of State] regarding the implementation and the enforcement of the control measures established in the third country.

Based on the information in these annual reports, the [^{F16}Secretary of State] ensures appropriate supervision of the recognised third countries by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of the occurrence of irregularities or infringements of the provisions set out in this Regulation.

[^{F17}The requirement in this paragraph to provide a concise annual report applies to the European Union, an EEA state and Switzerland only on and after [^{F18}1 February 2025].]

3 For products not imported under Article 32 and not imported from a third country which is recognised under paragraph 2 of this Article, the [^{F19}Secretary of State may]^{F20} ... recognise the control authorities and control bodies, including control authorities and control bodies as referred to in Article 27, competent to carry out controls and issue certificates in third countries for the purpose of paragraph 1, and [^{F21}maintain] a list of these control authorities and control bodies. The assessment of equivalency shall take into account *Codex Alimentarius* guidelines CAC/GL 32.

The [^{F22}Secretary of State] shall examine any request for recognition lodged by a control authority or control body in a third country.

When examining requests for recognition, the [^{F23}Secretary of State] shall invite the control authority or control body to supply all the necessary information. The control body or the control authority shall undergo regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities by an accreditation body or, as appropriate, by a competent authority. The [^{F23}Secretary of State] may also entrust experts with the task of examining on-the-spot the rules of production and the control measures carried out in the third country by the control authority or control body concerned.

The recognised control bodies or control authorities shall provide the assessment reports issued by the accreditation body or, as appropriate, the competent authority on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

Based on these assessment reports, the [^{F24}Secretary of State] shall ensure appropriate supervision of recognised control authorities and control bodies by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of

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an assessment of the risk of the occurrence of irregularities or infringements of the provisions set out in this Regulation.

Textual Amendments

- F9** Word in Art. 33(1) omitted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(a)(i)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), **5(2)(b)**); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 33(1) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(a)(ii)** (as amended by S.I. 2020/1661, regs. 1(2)(b), **13(2)(a)**); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 33(1) substituted (E.W.S.) (1.1.2024) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2023 (S.I. 2023/1246), regs. 1(2), **2(2)(a)**
- F12** Words in Art. 33(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 33(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **2(3)(a)**
- F14** Words in Art. 33(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 33(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 33(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 33(2) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(b)(v)** (as amended by S.I. 2020/1661, regs. 1(2)(b), **13(2)(b)**); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 33(2) substituted (E.W.S.) (1.1.2024) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2023 (S.I. 2023/1246), regs. 1(2), **2(2)(b)**
- F19** Words in Art. 33(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(c)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 33(3) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **2(3)(b)**
- F21** Word in Art. 33(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(c)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 33(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 33(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 33(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **2(3)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 834/2007, TITLE VI.