



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability
B.4 – Organics

Brussels,
MK/sml/agri.b.4(2022)9594880

DG AGRI working document on additional official controls on products originating from certain third countries

Applicable from 01/01/2023 until 31/12/2023

This document has been conceived as a working document of DG AGRI. It has been elaborated in co-operation with the Member States. It does not intend to produce legally binding effects and by its nature it is without prejudice to any measures taken by the Commission or by a Member State under the provisions of Articles 48(1) and 57(1) of Regulation (EU) No 2018/848, Commission Delegated Regulations (EU) No 2021/1342 and (EU) No 2021/2306 and Commission Implementing Regulation (EU) No 2021/2307.

DG AGRI WORKING DOCUMENT ON ADDITIONAL OFFICIAL CONTROLS ON PRODUCTS ORIGINATING FROM CERTAIN THIRD COUNTRIES

Applicable from 01/01/2023 until 31/12/2023

(1) SCOPE OF THE ADDITIONAL CONTROL MEASURES

1.1. Concerned products

The Competent Authorities ⁽¹⁾ of the Member States undertake to ensure that the control measures described in this document are carried out, as described in detail in subsequent sections of this document, on consignments of organic food and feed originating from the following third countries and entering the Union directly from those third countries or via other third countries, for the following products:

Country	Product	CN codes	Sampling percentages
China	Ginger	0910 11 00 2006 00 10	10%
China	Pumpkin (seeds)	0709 93 90 1207 99 96 1212 99 95	10%
China	Soy (bean, cakes, meals, expeller, etc.)	2304 00 00	10%
China	Tea (different)	0902 20 00 0902 40 00	20% ⁽²⁾
India	Soy (bean, cakes, meals, expeller, etc.)	2304 00 00	10%
India	Curcuma/turmeric	0910 30 00 1302 19 70	20% ⁽³⁾
Paraguay	Chia seeds	1207 99 96	10%
Peru	Quinoa	1008 50 00 1104 29 89	10%
Sierra Leone	Cocoa (beans etc.)	1801 00 00	10%

1.2. Sampling percentages

For the products defined in section 1.1, Member States should apply the following sampling percentages:

- A minimum of 10% or 20% of all consignments, as stipulated in the table above, for the products on the abovementioned list. Additional controls should also be carried out by Member States based on their own risk assessment.

⁽¹⁾ The authorities designated pursuant to Article 3, point (54), of Regulation (EU) 2018/848.

⁽²⁾ To ensure consistency with Commission Implementing Regulation (EU) 2019/1793.

⁽³⁾ To ensure consistency with Commission Implementing Regulation (EU) 2019/1793.

(2) TRACKING AND IDENTIFICATION OF ALL CONSIGNMENTS OF IMPORTED FOOD AND FEED WITHIN THE SCOPE OF THIS WORKING DOCUMENT

The Competent Authorities of the Member States shall track and identify all of the consignments of food and feed referred to above.

For each consignment of food and feed referred to above, the importer or, where appropriate, the operator responsible for the consignment, shall give prior notification of the arrival of the consignment at the border control post or the point of release for free circulation in accordance with Article 3 of Commission Implementing Regulation (EU) 2021/2307 laying down rules on documents and notifications required for organic and in-conversion products intended for import into the Union.

(3) COMPLETE DOCUMENTATION CHECK AT THE POINT OF RELEASE FOR FREE CIRCULATION OR AT THE BORDER CONTROL POST

The complete documentation of each consignment of food and feed referred to above shall be verified systematically:

- a. certificate of inspection (COI);
- b. documents of custom declaration;
- c. commercial and transport documents; and
- d. sampling report introduced in Traces accompanying the certificate of inspection.

(4) SAMPLING AND ANALYSIS FOR THE PRESENCE OF NON-AUTHORISED SUBSTANCES ⁽⁴⁾ IN INCOMING CONSIGNMENT SAMPLED ACCORDING TO THE PERCENTAGES IN SECTION 1.2 AT THE POINT OF RELEASE FOR FREE CIRCULATION OR AT THE BORDER CONTROL POST

At least one representative sample shall be taken of each consignment of food and feed according to the sample percentages in section 1.2 at the point of release for free circulation or at the border control post, as appropriate. Sampling shall be done using the methods described in Commission Regulation (EU) No 691/2013 on the sampling methods to be used for official control of feed and Commission Directive 2002/63/EC establishing Community methods of sampling for the official control of non-authorised substances in and on products of plant and animal origin.

Analysis of these samples for the presence of non-authorised substances shall be conducted in a laboratory accredited for the particular analytical methods used. Based on expert knowledge, all relevant non-authorised substances, including ETO, should be looked for and the most appropriate analytical methods for the detection for each substance should be used.

⁽⁴⁾ This excludes the products referred to in Commission Implementing Regulation (EU) No 2021/1165 of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists.

The sampling report of each sample must contain the identification of the consignment: lot number and number of the COI.

When cases of a suspected or established non-compliance are detected, an investigation shall be started and a notification in the Organic Farming Information System (OFIS) shall be made in accordance with Article 7 of Commission Implementing Regulation (EU) 2021/2307 laying down rules on documents and notifications required for organic and in-conversion products intended for import into the Union ⁽⁵⁾.

⁽⁵⁾ When other cases of non-compliance are detected, a notification in OFIS should be made in accordance with Article 9 of Regulation 2021/279.