

# FAQS: Importing organic produce into Great Britain

### What are the regulations for importing organic products into Great Britain?

Any business importing organic products into Great Britain must be registered and certified by <u>an approved UK control body</u>.

Importers are subject to annual physical inspections by their Control Body, during which a sample of the goods received will be viewed, and the associated endorsed GB Certificate of Inspection (COI) checked against all other accompanying documents. The importer will have a list of the products they are certified to import on their licence.

Organic products imported into Great Britain from a non-UK country require a GB COI.

Organic products imported from the EU, Norway, Iceland, Lichtenstein and Switzerland will not require a COI until 1 February 2027. However the requirements of the UK-EU Trade and Cooperation Agreement, Annex 14:Organic Products must still be met.

See Annex A for detailed information on key movement scenarios.

#### Do first consignees have to be certified?

Yes, first consignees and importers are required to be certified by an approved UK control body.

### What organic products are covered under the UK-EU Trade and Cooperation Agreement (TCA)?

As part of the UK-EU Trade and Cooperation Agreement, we have agreed UK-EU equivalence for the purpose of trade in organics.

Organic equivalence is captured at Annex 14: Organic Products of the TCA and covers the following categories:

- A. Unprocessed plant products
- B. Live animals or unprocessed animal products (includes honey)
- C. Aquaculture products and seaweeds
- D. Processed agricultural products for use as food
- E. Processed agricultural products for use as feed
- F. Seeds and propagating material

Please note the products must be **produced or processed** in the EU to be accepted in GB or **produced or processed** in GB to be accepted in the EU.

The TCA does not allow for goods produced in or that have undergone final processing in another non-UK country to be traded between the UK and the EU without having been processed in the UK or EU.

Full details can be found in the <u>Trade and Cooperation Agreement</u>, Annex 14: Organic Products.

### Where should the importer be based?

If the goods are imported into GB, the importer must be established in GB and registered with an approved UK organic control body.

#### Do I need to register to use the paper-based import system?

No, the paper COI and associated guidance can be used without registration. Anyone who intends to import organic food or feed into GB must be certified with by <u>an approved UK</u> <u>control body</u>. PDF COIs emailed to the relevant PHA are acceptable.

#### Do I need to pre-notify the ports of an organic arrival?

The importer should pre-notify in writing the Port of the organic consignment. This is in addition to any commodity specific pre-notification required.

Paragraph 6(2) of The Organics Products Regulations 2009 refers to advance notification. It states, "Any such notice must be given at least six hours in advance in relation to a consignment arriving by air and at least twenty-four hours in advance in relation to a consignment arriving by any other means."

### Do organic goods need to enter GB at specific entry points?

Organic goods are usually checked at a GB Border Control Point (BCP); the point of entry may differ depending on the type of commodity and whether the consignment needs a physical check or testing. If you are unsure, please check the guidance on <u>Gov.uk.</u>

### Do organic goods moving between GB and NI require a COI?

### Moving organic products NI to GB

Unfettered market access protections apply to qualifying Northern Ireland goods (as defined in The Definition of Qualifying Northern Ireland Goods (EU Exit) Regulations 2020) traveling from NI to GB. These protections ensure that NI traders can continue to place goods on the GB market without being subject to any new checks or controls, even where those goods meet EU standards. Therefore, there is no change to the movement of organic goods from NI to GB if qualifying, and you do not need a Certificate of Inspection (COI).

Organic goods not meeting the definition of a qualifying Northern Ireland good will be subject to the relevant requirements under GB's import regime.

### Moving organic products GB to NI

For goods moving from GB to NI, arrangements are set out in the recently agreed Windsor Framework. Under the Windsor Framework, retail ready agri-food goods meeting GB organic standards will be able to move from GB to NI via the new Northern Ireland Retail Movement Scheme and be placed on the market for sale in NI.

Due to the equivalence agreement between the UK and EU, organic goods not meeting the requirements to move via the Northern Ireland Retail Movement Scheme may still move from GB to NI where these goods meet GB standards, however, they must be accompanied by a valid COI using the EU's import system TRACES NT. You do not need to pay for a COI as these costs are covered by the Movement Assistance Scheme.

Contact your control body to:

- approve your business on TRACES NT for moving goods from GB to NI
- stay up to date on importing requirements.

#### Will the trade tariffs be the same as they are now?

Please refer to tariff guidance on Gov.uk

### Will there be any additional checks at port for livestock products being imported from non-UK countries?

Please refer to importing guidance on <u>Gov.uk</u>

### How have countries outside the UK and non-UK control bodies be made aware of the paper-based GB import procedure?

Defra has contacted the countries we recognise, and the non-UK control bodies recognised to let them know what regulations and procedures are in place for exporting to GB.

### What happens if an organic consignment arrives in GB without an endorsed COI?

If an organic consignment arrives without an endorsed COI, the consignment cannot be cleared as organic.

The goods must be either:

a) re-labelled, removing all reference to organics

- b) re-exported as non-organic OR
- c) destroyed

### What happens if an organic consignment arrives in GB that does not comply with the relevant importing rules?

It is important to check the organic goods you want to import into GB meet the relevant importing rules.

If a consignment that does not comply with the relevant importing rules arrives in GB, the consignment may be rejected or returned.

### What happens if products are found to have a reference to organic, but no COI/ prenotification was provided because the importer does not intend to sell the products as organic?

Products within the scope of the Regulation cannot be imported if there are any references to organic on the labelling, marketing or commercial documents, even if these products are not intended to be sold as organic and the importer intends to remove references to organic before selling the products. The references to organic should be removed before the products are imported. These products can be re-labelled to remove references to organic under the supervision of the relevant authority.

# Do the rules apply to products that are labelled as X% organic and/ or have references to organic in the ingredients list?

Yes, products with references to organic are covered by the scope and must be certified.

### Are original paper COIs required?

No, electronic (PDF) COIs can now be accepted. This change has been very well received as it reduces the burden on businesses, control bodies and ports, and saves businesses money as the original paper COI is no longer required.

### What are the current rules on GB organic labelling?

There are different labelling requirements depending on whether the organic product is produced for GB, the EU or other non-UK markets.

Producers of organic food must register with one of the organic control bodies if they want to label and market their goods as organic. They can decide which body to register with based on costs, location and needs. Operators certified to GB standards must continue to include their UK allocated control body code on the food label.

Pre-packed foods may only be labelled as 'organic' if at least 95% of the ingredients of agricultural origin are organic. Ingredients of non-organic food products (conventional foods) may be listed as organic provided that they meet GB or EU organic standards and are certified as organic.

Both UK and EU organic labelling rules require a statement of agricultural origin to be included on the label, such as 'UK Agriculture' or 'EU Agriculture'. Additionally, UK producers exporting their goods to other non-UK countries will need to comply with the organic labelling requirements of the importing country.

The above labelling changes apply from 1 January 2021. However due to the transition period provided for labelling changes in GB, these changes must be made by the end of 2023 for products placed on the UK market.

### How can I find where and what organic products I can import?

Defra has laid new legislation that streamlines updating the lists of recognised non-UK countries and territories, and non-UK control bodies for organics goods being imported into Great Britain. Businesses can access and search these lists on gov.uk to determine where organic products may be imported from and under what conditions, without having to search through legislation. Organic registers: lists of non-UK countries, territories, control bodies and control authorities

### When will GB's replacement electronic organic imports system be ready?

The signature and the stamp on the COIs may be electronic. We are continuing to work towards an electronic import system. We aim to develop an efficient system that helps to reduce the time taken at each stage of the COI and the import process.

#### Does the first consignee have to receive the consignment physically?

Yes. As indicated in the notes for completion of the COI, box 21 needs to be completed by the first consignee at the reception of the products and after carrying out the necessary checks.

### Can the additional controls on organic products originating in certain countries (or other non-UK countries) be carried out outside the Border Control Posts (BCPs)?

Defra established that some categories of organic products originating from some non-UK countries must be subject to additional controls, not only in the country of origin but also on the entry into GB. Where official controls are required, and the goods are transferred inland for checks to be completed at a control point; additional controls should still be completed at the BCP.

For any other product exempt from official controls at the BCP, the additional organic checks will take place at the point of release for free circulation.

# Annex A: Movement of organic goods into the UK

Scenario	Country of origin of goods	Importer (who financially buys the goods from the non-UK country)	Country of arrival	Country of end destination	Type of COI	1 January 2021 process
1.	Non- UK Countries (excluding EU, Norway, Iceland, Lichtenstein and Switzerland until 1 February 2027)	GB	GB – goods imported directly into GB and customs cleared	GB	GB COI	GB COI manual system, checks will need to be carried out at the first point of entry into GB or by Local Trading Standards.
2.	Non- UK Countries excluding EU, Norway, Iceland, Lichtenstein and Switzerland until 1 February 2027)	GB	Goods transit through the EU/ NI to GB, no customs clearance in the EU/ NI	GB	GB COI	GB COI manual system, checks will need to be carried out at the first point of entry in GB or by Local Trading Standards.
3.	NI	GB	GB- goods are imported from NI into GB	GB	No COI required	COIs are not required.
4.	GB	NI	NI – goods are exported from GB to NI	NI	EU COI	EU COI on TRACES NT, cleared in NI.
5.	Countries excluding EU, Norway, Iceland, Lichtenstein and Switzerland		Goods transit through GB to NI, <b>no</b> customs clearance in GB	NI	EU COI	EU COI on TRACES NT, goods cleared at the first point of entry in the EU/ NI.
6.	EU	NI	NI, but goods transit through GB to NI, <b>no</b> customs clearance in GB	NI	No COI required	COIs are not required