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

Applicable from 01/01/2025 until 31/12/2025

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 46 and 48(1) of Regulation (EU) No 2018/848, Commission Delegated Regulations (EU) No 2021/1342, (EU) No 2021/1698 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 01/01/2025 until 31/12/2025

(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:

Row	Country of origin	Product	CN code(s) ⁽²⁾	Taric subheadings (where applicable)	Percentage of consignments subject to checks and sampling in Member States
1	China	Ginger	0910 11 00 2006 00 10		10%
11	Peru	Bananas	0803 90 11 0803 90 19		5%
12	Peru	Ginger	0910 11 00		10%
14	Tunisia	Dates	0804 10 00 ex1106 30 90		10%

1.2. Sampling percentages

For the products defined in section 1.1, Member States should apply the minimum sampling percentages 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.

(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 should track and identify all the consignments of food and feed referred to above.

⁽¹⁾ The authorities designated pursuant to Article 3, point (54), of Regulation (EU) No 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007, OJ L 150, 14.6.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/848/oj>.

⁽²⁾ Where only certain products under any CN code are required to be examined, the CN code is marked as 'ex'.

For each consignment of food and feed referred to above, the importer or, where appropriate, the operator responsible for the consignment, should 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 ⁽³⁾ 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 should 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 should be taken of each consignment of food and feed according to the sample percentages in sections 1.1 and 1.2 at the point of release for free circulation or at the border control post, as appropriate. Sampling should 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 ⁽⁵⁾ 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 ⁽⁶⁾.

Analysis of these samples for the presence of non-authorised substances should 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

⁽³⁾ Commission Implementing Regulation (EU) 2021/2307 of 21 October 2021 laying down rules on documents and notifications required for organic and in-conversion products intended for import into the Union, OJ L 461, 27.12.2021, p. 30, http://data.europa.eu/eli/reg_impl/2021/2307/oj.

⁽⁴⁾ This excludes the products referred to in Commission Implementing Regulation (EU) 2021/1165 of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists, OJ L 253, 16.7.2021, p. 13, http://data.europa.eu/eli/reg_impl/2021/1165/oj.

⁽⁵⁾ Commission Regulation (EU) No 691/2013 of 19 July 2013 amending Regulation (EC) No 152/2009 as regards methods of sampling and analysis, OJ L 197, 20.7.2013, p. 1, <http://data.europa.eu/eli/reg/2013/691/oj>.

⁽⁶⁾ Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC, OJ L 187, 16.7.2002, p. 30, <http://data.europa.eu/eli/dir/2002/63/oj>.

looked for and the most appropriate analytical methods for the detection for each substance should be used.

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

In case of a suspicion of non-compliance that has not been eliminated or has been substantiated, an investigation shall be started and a notification in the Organic Farming Information System (OFIS) should be made in accordance with Article 7 of 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 ⁽⁷⁾.

⁽⁷⁾ When other cases of non-compliance are detected, a notification in OFIS should be made in accordance with Article 9 of Commission Implementing Regulation (EU) 2021/279 of 22 February 2021 laying down detailed rules for the implementation of Regulation (EU) 2018/848 of the European Parliament and of the Council on controls and other measures ensuring traceability and compliance in organic production and the labelling of organic products, OJ L 62, 23.2.2021, p. 6, http://data.europa.eu/eli/reg_impl/2021/279/oj.