

Industry specific information – organic imports

General legal basis:

Within the EU the principle of free movement of goods applies. Accordingly, purchases of goods from another Member State are not considered to be imports. However, the Regulation (EU) No. 2018/848, as amended, regulates the import of agricultural and/or processed products from third countries (i. e. non EU countries) and Implementing Regulation 2021/2325 which listed approved third countries and control body.

Requirements for imports from third countries:

- Imports according to chapter III of **Regulation (EU) 2018/848: Equivalency from article 48. of Regulation (EU) 2018/848**
For some third countries, evidence has already been provided that an appropriate inspection system (according to article 33 (2) of Regulation (EC) No. 834/2007) exists and the agricultural and processed products from organic farming are equivalent to those of EU Member states.
These countries are listed in the so-called positive list of third countries in Regulation (EU) No. 2021/2325, Annex I. In this list also the approved product categories for import, as well as authorized inspection bodies and the competent authorities can be found. List is valid until 31.12.2026.
For updated Annex III see the current consolidated Regulation (EU) No. 2021/2325 and amending regulation. To the download page of [Regulation \(EU\) No. 2021/2325](#).
- Imports according to **Regulation (EU) 2018/848, Annex II:**
Refers to countries not listed in Annex I of Regulation (EU) 2021/2325 (see above). For each inspection body listed in Annex II, the countries as well as the product categories for which the inspection body is authorized are named. List is valid until 31.12.2026.
For the updated Annex II see the current consolidated Regulation (EU) No. 2021/2325 and amending regulations. To the download page of [Regulation \(EU\) No. 2021/2325](#).

Import notification to the authority and the inspection body:

Each import consignment has to be reported **in advance** to the Customs control. Likewise, the inspection body has to be informed in advance about each import (by e-mail including a pre-copy of the certificate of inspection – see below). Announcement has to be done at least 24 hours prior the import.

Import and takeover of goods in the EU:

For **each** consignment a certificate of inspection (COI = Certificate of Inspection) has to be issued by the relevant inspection body/authority of the third country and accompany the goods in the original at the time of custom clearance. This is valid until June 2022., and from then on, only digital COI will be created.

Since Oct. 19th, 2017 all certificates of inspection have to be issued electronically in **TRACES** (Trade Control and Expert System) (Art. 13 (2)). For this, all those involved in the import must be registered in TRACES (inspection body, exporter of the third country, importer and first consignee in the EU). If one of the participants is not registered or activated

in TRACES, the issue of a certificate of inspection cannot be completed – thus no import can take place!

This link gives you access to TRACES if your company has a current organic certificate as an importer: <https://webgate.ec.europa.eu/cas/login>.

The customs confirms at the time of the customs clearance on the basis of the available documents the legality of the import signing it digitally in TRACES and the first consignee of the goods confirms this by verifying the receiving the goods thru the TRECES.. Additionally, first consignee has to confirm that the products were packed and sealed when receiving.

Labeling of imported goods from third countries:

See general labeling requirements under the link
https://www.biogarantie.at/docs/transfer/2001638EN_all.pdf

Summary of documents required for importations¹⁾:

Type of import / country of origin	Necessary documents
Import according to Annex I of Regulation (EU) 2021/2325	
1) countries on the positive list: Argentina, Australia, Chile, Costa Rica, India, Israel, Japan, New Zealand, Canada, Republic of Korea, Tunisia, USA	<ul style="list-style-type: none"> - <i>Certificate of inspection</i> issued by an inspection body/inspection authority mentioned in the positive list - <i>Accompanying documents</i> (delivery note, invoice, freight documents), which confirm the organic status of the agricultural products and their country of origin.
Import according to Annex II.	
2) all countries not listed in Annex I of Regulation (EU) 2021/2325	<ul style="list-style-type: none"> - <i>Certificate of inspection</i> issued by an inspection body listed in Annex. In addition the inspection body has to be approved for the respective country and product category. - <i>Accompanying documents</i> (delivery note, invoice, freight documents), which confirm the organic status of the agricultural products and their country of origin.

Commodity purchases from other EU member states are not considered as imports. For them the certificate of the supplier and the accompanying documents (delivery note, invoice, freight documents), which confirm the organic status of the agricultural products and their country of origin are sufficient.

Please note:

All imports have to be reported also to the inspecting body of your company in advance (via e-mail including a pre-copy of the COI).

If you have questions regarding the organic import activity of your company, don't hesitate to contact us.

www.bio-garantie.com