

**COMMISSION REGULATION (EC) No 1918/2002**  
**of 25 October 2002**

**amending Regulation (EC) No 1788/2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 473/2002<sup>(2)</sup>, and in particular Article 11(3)(b) and Article 11(4) thereof,

Regulation (EC) No 1788/2001 is amended as follows:

Whereas:

- (1) Commission Regulation (EC) No 1788/2001<sup>(3)</sup>, as amended by Regulation (EC) No 1113/2002<sup>(4)</sup>, establishes a certificate of inspection for imported products and provides that those certificates shall be applied from 1 November 2002 to products imported under the procedures established in Article 11(1) and (6) of Regulation (EEC) No 2092/91.
- (2) Certain Member States have experienced some technical difficulties when attempting to apply Regulation (EC) No 1788/2001. The Regulation should therefore, for the sake of transparency and in order to avoid confusion, be clarified.
- (3) In particular, the references to suspensive customs procedures pursuant to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(5)</sup>, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council<sup>(6)</sup>, and the references to Annex III to Regulation (EEC) No 2092/91 should be updated. In this respect, the models of the certificate and of the extract of the certificate, set out in Annexes I and II to Regulation (EC) 1788/2001 should be updated.
- (4) Regulation (EEC) No 1788/2001 should therefore be amended accordingly.
- (5) The need for adaptation to the amended models of the certificate and of the extract calls for a transitional period during which the previous models may be used.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 14 of Regulation (EEC) No 2092/91,

1. In Article 4(12) the first subparagraph is replaced by the following:

'The first consignee shall, at the reception of the consignment, complete box 18 of the original of the certificate of inspection, to certify that the reception of the consignment has been carried out in accordance with Section C, point 6 of Annex III to Regulation (EEC) No 2092/91.'

2. Article 5 is amended as follows:

(a) paragraph 1 is amended as follows:

- (i) the first subparagraph is replaced by the following:

'Where a consignment coming from a third country is assigned to customs warehousing or inward processing in the form of a system of suspension as foreseen in Council Regulation (EEC) No 2913/92 establishing the Community Customs Code<sup>(\*)</sup>, and subject to one or more preparations as defined in Article 4(3) of Regulation (EEC) No 2092/91, the consignment must be subject, before the first preparation is carried out, to the measures referred to in Article 4(1) of the present Regulation.'

<sup>(\*)</sup> OJ L 302, 19.10.1992, p. 1.'

- (ii) the third subparagraph is replaced by the following:

'After this preparation, the endorsed original of the certificate of inspection shall accompany the consignment, and shall be presented to the relevant Member State's authority, which shall verify the consignment in view of its release for free circulation.'

- (b) paragraph 2 is amended as follows:

- (i) the fourth subparagraph is replaced by the following:

'After the splitting, the endorsed original of each extract of the certificate of inspection shall accompany the batch concerned, and shall be presented to the relevant Member State's authority, which shall verify the concerned batch in view of its release for free circulation.'

- (ii) the fifth subparagraph is replaced by the following:

'The consignee of a batch shall, at the reception thereof complete the original of the extract of the certificate of inspection in box 15, in order to certify that the reception of the batch has been carried out in accordance with Section B, point 5, of Annex III to Regulation (EEC) No 2092/91.'

<sup>(1)</sup> OJ L 198, 22.7.1991, p. 1.

<sup>(2)</sup> OJ L 75, 16.3.2002, p. 21.

<sup>(3)</sup> OJ L 243, 13.9.2001, p. 3.

<sup>(4)</sup> OJ L 168, 27.6.2002, p. 31.

<sup>(5)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(6)</sup> OJ L 311, 12.12.2000, p. 17.

(c) paragraph 3 is replaced by the following:

'3. The preparation and splitting operations referred to in paragraphs 1 and 2 shall be carried out in accordance with the relevant provisions of Articles 8 and 9 of Regulation (EEC) No 2092/91, the General Provisions set out in Annex III to that Regulation and the Specific Provisions set out in Sections B and C of that Annex, and in particular points 3 and 6 of Section C. The operations shall be carried out in accordance with Article 5 of Regulation (EEC) No 2092/91.'

3. Annexes I and II are replaced by the text in the Annex to this Regulation.

*Article 2*

For a transitional period of six months from the entry into application of this Regulation, it shall be allowed to issue certificates of inspection which correspond to the models of Annex I and II to Regulation (EC) No 1788/2001, not yet amended by the present Regulation.

*Article 3*

This Regulation shall enter into force on the third day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 October 2002.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## ANNEX

## ANNEX I

**Model of the certificate of inspection for import of products from organic production into the European Community**

The model of the certificate is determined with regard to:

- the text,
- the format, on one single sheet,
- the layout and the dimensions of the boxes.



## CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY

1. Issuing body or authority (name and address)	2. Council Regulation (EEC) No 2092/91 and Commission Regulation (EC) No 1788/2001 Article 11(1) <input type="checkbox"/> or Article 11(6) <input type="checkbox"/>	
3. Serial number of the certificate of inspection	4. Reference No authorisation under Article 11(6)	
5. Exporter (name and address)	6. Inspection body or authority (name and address)	
7. Producer or preparer of the product (name and address)	8. Country of dispatch	
	9. Country of destination	
10. First consignee in the Community (name and address)	11. Name and address of the importer	
12. Marks and numbers. Container No(s). Number and kind. Trade name of the product	13. CN codes	14. Declared quantity
	<p>15. Declaration of body or authority issuing the certificate referred to in box 1.</p> <p>This is to certify that this certificate has been issued on the basis of the checks required under Article 4(4) of Regulation (EC) No 1788/2001 and that the products designated above have been obtained in accordance with rules of production and inspection of the organic production method which are considered equivalent in accordance with the provisions of Regulation (EEC) No 2092/91.</p> <p>Date</p> <p>Name and signature of authorised person</p> <p>Stamp of issuing authority or body</p>	

16. Declaration of the competent authority of the Member State of the European Union who granted the authorisation or its designate.

This is to certify that the products designated above have been authorised for marketing in the European Community in accordance with the procedure of Article 11(6) of Regulation (EEC) No 2092/91, under the authorisation number mentioned in box 4.

Date

Name and signature of the authorised person

Stamp of the competent authority or its designate in the Member State

17. Verification of the consignment by the relevant authority of the Member State.

Member State: .....

Import registration (type, number, date and office of the customs declaration): .....

Date: .....

Name and signature of authorised person

Stamp

18. Declaration of the first consignee.

This is to certify that the reception of the goods has been carried out in accordance with the provisions of Annex III, Section C, point 6 of Regulation (EEC) No 2092/91.

Name of the company

Date

Name and signature of the authorised person

Notes

- Box 1: authority or body or other designated authority or body as referred to in Article 4(3) of Regulation (EC) No 1788/2001. This body also completes box 3 and box 15.
- Box 2: this box indicates the EC Regulations which are relevant for the issue and use of this certificate; indicate with regard to Article 11 of Regulation (EEC) No 2092/91 the relevant provision: Article 11(1) or Article 11(6).
- Box 3: the serial number of the certificate given by the issuing body or authority in accordance with Article 4(4) of Regulation (EC) No 1788/2001.
- Box 4: the authorisation number in case of import under Article 11(6). This box is completed by the issuing body, or when the information is not yet available at the time the issuing body endorses box 15, by the importer.
- Box 5: name and address of the exporter.
- Box 6: inspection authority or body for monitoring compliance of the last operation (production, preparation, including packaging and labelling, as defined in Article 4(2) and (3) of Regulation (EEC) No 2092/91) with the rules of the organic production methods in the third country of dispatch.
- Box 7: operator who carried out the last operation (production, preparation, including packaging and labelling, as defined in Article 4(2) and (3) of Regulation (EEC) No 2092/91) on the consignment in the third country mentioned in box 8.
- Box 9: country of destination means the country of the first consignee in the Community.
- Box 10: name and address of the first consignee of the consignment in the Community. The first consignee shall mean the natural or legal person where the consignment is delivered and where it will be handled for further preparation and/or marketing. The first consignee shall also complete box 18.
- Box 11: name and address of the importer. The importer shall mean the natural or legal person within the European Community who presents the consignment for release for free circulation into the European Community, either on its own, or through a representative.
- Box 13: Combined Nomenclature codes for the products concerned.
- Box 14: declared quantity, expressed in appropriate units (kg of net mass, litre, etc.).
- Box 15: declaration of body or authority issuing the certificate. The signature and the stamp must be in a colour different to that of the printing.
- Box 16: only for imports under the procedure laid down in Article 11(6) of Regulation (EEC) No 2092/91. To be completed by the competent authority in the Member State which granted the authorisation, or by the delegated body or authority in case of delegation in accordance with Article 4(8) of Regulation (EC) No 1788/2001. Not to be completed where the derogation of Article 4(9) of Regulation (EC) No 1788/2001 applies.
- Box 17: shall be completed by the relevant Member State's authority either at the verification of the consignment in accordance with Article 4(1), or before the preparation or splitting operation in the circumstances referred to in Article 5 of Regulation (EC) No 1788/2001.
- Box 18: shall be filled in by the first consignee at the reception of the products, when he has carried out the checks provided for in Annex III, Section C, point 6, to Regulation (EEC) No 2092/91, as amended by Commission Regulation (EC) No 2491/2001 (\*).
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(\*) OJ L 337, 20.12.2001, p. 9.

*ANNEX II***Model of the extract of the certificate of inspection**

The model of the extract is determined with regard to:

- the text,
- the format,
- the layout and the dimensions of the boxes.



## EXTRACT No ... OF THE CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY

1. Body or authority having issued the underlying certificate of inspection (name and address)	2. Council Regulation (EEC) No 2092/91 and Commission Regulation (EC) No 1788/2001 Article 11(1) <input type="checkbox"/> or Article 11(6) <input type="checkbox"/>	
3. Serial number of the underlying certificate of inspection	4. Reference No authorisation under Article 11(6)	
5. Operator having split the original consignment into batches (name and address)	6. Inspection body or authority (name and address)	
7. Name and address of the importer of the original consignment	8. Country of dispatch of the original consignment	9. Total declared quantity of the original consignment
10. Consignee of the batch obtained from splitting (name and address)		
11. Marks and numbers. Container No(s). Number and kind. Trade name of the batch.	12. CN code	13. Declared quantity of the batch
<p>14. Declaration of the relevant authority of the Member State endorsing the extract of the certificate.</p> <p>This extract corresponds to the batch described above and obtained by the splitting of a consignment which is covered by an original certificate of inspection with the serial number mentioned in box 3:</p> <p>Member State: .....</p> <p>Date: .....</p> <p>Name and signature of authorised person <span style="float: right;">Stamp</span></p>		
<p>15. Declaration of the consignee of the batch</p> <p>This is to certify that the reception of the batch has been carried out in accordance with the provisions of Annex III, Section B, point 5, to Regulation (EEC) No 2092/91.</p> <p>Name of the company</p> <p>Date:</p> <p>Name and signature of the authorised person</p>		

Notes

- Extract No ...: the extract number corresponds to the number of the batch obtained from the splitting of the original consignment.
- Box 1: name of body or authority in the third country having issued the underlying certificate of inspection.
- Box 2: this box indicates the EC Regulations which are relevant for the issue and use of this extract; indicate with regard to Article 11 the regime under which the underlying consignment was imported, see box 2 of the underlying certificate of inspection.
- Box 3: the serial number of the underlying certificate which was given by the issuing body or authority in accordance with Article 4(4) of Regulation (EC) No 1788/2001.
- Box 4: reference No of the authorisation granted under Article 11(6) of Regulation (EEC) No 2092/91, see box 4 of the underlying certificate of inspection.
- Box 6: inspection body or authority in charge of inspection of the operator having split the consignment.
- Boxes 7, 8, 9: see relevant information on the underlying certificate of inspection.
- Box 10: consignee of the batch (obtained from the splitting) in the European Community.
- Box 12: Combined Nomenclature codes for the batch of the products concerned.
- Box 13: declared quantity, expressed in appropriate units (kg of net mass, litre, etc.).
- Box 14: shall be completed by the relevant Member State's authority for each of the batches resulting from the splitting operation referred to in Article 5(2) of Regulation (EC) No 1788/2001.
- Box 15: shall be filled up at the reception of the batch, when the consignee has carried out the checks provided for in Annex III, Section B, point 5, to Regulation (EEC) No 2092/91, as amended by Commission Regulation (EC) No 2491/2001.'
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