

Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

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laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91⁽¹⁾, and in particular Article 33(2), Article 38(d) and Article 40 thereof,

Whereas:

- (1) Articles 32 and 33 of Regulation (EC) No 834/2007 lay down general provisions for import of organic products. With a view to guarantee that these provisions will be applied in a correct and uniform way, detailed rules and procedures for the application of those provisions should be laid down.
- (2) As substantial experience has been built up since 1992 with the import of products providing equivalent guarantees, a relatively short period should be given to control bodies and control authorities to request their inclusion in the list for the purpose of equivalence in accordance with Article 33 of Regulation (EC) No 834/2007. However, as there is no experience with the direct application of Community rules on organic production and labelling of organic products outside the territory of the Community, more time should be given to control bodies and control authorities wishing to request their inclusion in the list for the purpose of compliance in accordance with Article 32 of Regulation (EC) No 834/2007. Therefore a longer period should be provided for sending in the requests and for examining them.
- (3) For products imported according to Article 32 of Regulation (EC) No 834/2007, the operators concerned should be able to provide documentary evidence. It is necessary to establish a model for this documentary evidence. Products imported according to Article 33 of Regulation (EC) No 834/2007 should be covered by a certificate of inspection. It is necessary to lay down detailed rules with regard to the issuing of this certificate. Moreover, a procedure in order to coordinate at Community level certain controls on products imported from third countries which are intended to be marketed in the Community as organic should be laid down.
- (4) Argentina, Australia, Costa Rica, India, Israel, New Zealand and Switzerland were previously listed as third countries from which imported products could be marketed

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in the Community as organic, under Commission Regulation (EC) No 345/2008 of 17 April 2008 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽²⁾. The Commission has re-examined the situation of those countries according to the criteria set out in Regulation (EC) No 834/2007, taking into consideration the production rules applied and the experience gained with the import of organic products from these third countries as previously listed under Article 11(1) of Council Regulation (EEC) No 2092/2091. On this basis it is concluded that the conditions for inclusion of Argentina, Australia, Costa Rica, India, Israel, and New Zealand in the list of third countries for equivalency according to Article 33(1) of Regulation (EC) No 834/2007 are fulfilled.

- (5) The European Community and the Swiss Confederation have concluded an Agreement on trade in agricultural products⁽³⁾ approved by Decision 2002/309/EC of the Council and of the Commission⁽⁴⁾. Annex 9 to that Agreement covers organically produced agricultural products and foodstuffs and sets out that the Parties must take the necessary measures so that organic products complying with each other's laws and regulations can be imported and placed on the market. For the sake of clarity, Switzerland should also be listed in the list of third countries for equivalency according to Article 33(1) of Regulation (EC) No 834/2007.
- (6) Member States' authorities have acquired substantial experience and expertise in the field of granting access for organic imported goods into the territory of the Community. To establish and maintain the lists of third countries and control bodies and control authorities, this experience should be used and the Commission should be able to take account of reports from Member States and other experts. The tasks involved should be divided in a just and proportionate way.
- (7) Provision should also be made for transitional measures applicable to third country applications received by the Commission before 1 January 2009, the date from which Regulation (EC) No 834/2007 applies.
- (8) In order not to disrupt international trade, and to facilitate the transition between the rules established by Regulation (EEC) No 2092/2091 and those established by Regulation (EC) No 834/2007, it is necessary to extend the possibility of Member States to continue to grant authorisations to importers on a case by case basis for placing on the Community market of products until the measures necessary for the functioning of the new import rules have been put in place, in particular as regards the recognition of control bodies and control authorities referred to in Article 33(3) of Regulation (EC) No 834/2007. This possibility should be gradually phased out as the list of control bodies referred to in that Article is being established.
- (9) In order to improve transparency and guarantee the application of this Regulation, an electronic system for exchange of information between the Commission, the Member States, the third countries, and the control bodies and control authorities should be foreseen.

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- (10) The detailed rules laid down in this Regulation replace those laid down in Commission Regulation (EC) No 345/2008 and in Commission Regulation (EC) No 605/2008 of 20 June 2008 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⁽⁵⁾. Those Regulations should therefore be repealed and replaced by a new Regulation.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

HAS ADOPTED THIS REGULATION:

TITLE I

INTRODUCTORY PROVISIONS

Article 1

Subject matter

This Regulation lays down the detailed rules for the import of compliant products and the import of products providing equivalent guarantees as provided for in Articles 32 and 33 of Regulation (EC) No 834/2007.

Article 2

Definitions

For the purposes of this Regulation:

1. 'certificate of inspection': means the certificate of inspection referred to in Article 33(1)(d) of Regulation (EC) No 834/2007 covering one consignment;
2. 'documentary evidence': means the document referred to in Article 68 of Commission Regulation (EC) No 889/2008⁽⁶⁾ and in Article 6 of this Regulation, for which the model is set out in Annex II to this Regulation;
3. 'consignment': means a quantity of products under one or more Combined Nomenclature codes, covered by a single certificate of inspection, conveyed by the same means of transport and imported from the same third country;
4. 'first consignee': means the natural or legal person as defined in Article 2(d) of Regulation (EC) No 889/2008;
5. [^{F1}'verification of the consignment' means the verification carried out by the ^{F2}... competent authority, in the framework of the official controls provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council⁽⁷⁾, of the fulfilment of the requirements of Regulation (EC) No 834/2007, of Regulation (EC) No 889/2008 and of this Regulation through systematic documentary checks, random identity checks and, as appropriate according to its risk assessment, physical checks,

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- prior to the release of the consignment for free circulation into [F³Great Britain] in accordance with Article 13 of this Regulation;
6. [F⁴‘competent authority’ means the customs authority, food safety authority or other authorities designated by the relevant authority pursuant to Article 27(1) of Regulation (EC) No 834/2007 responsible for the verification of the consignments and the endorsement of the certificates of inspection];
 7. ‘assessment report’: means the assessment report referred to in Articles 32(2) and 33(3) of Regulation (EC) No 834/2007 drawn up by an independent third party fulfilling the requirements of ISO Standard 17011 or by [F⁵the] competent authority, which includes information on document reviews, including the descriptions referred to in Articles 4(3)(b) and 11(3)(b) of this Regulation, on office audits, including critical locations and on risk-oriented witness audits conducted in representative third countries[F¹;]
 8. [F⁶‘aquaculture products’: means aquaculture products as defined in point 34 of Article 4(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council⁽⁸⁾];
 9. ‘unprocessed’: means unprocessed as used in the definition of unprocessed products in point (n) of Article 2(1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council⁽⁹⁾, irrespective of packaging or labelling operations;
 10. ‘processed’: means processed as used in the definition of processed products in point (o) of Article 2(1) of Regulation (EC) No 852/2004, irrespective of packaging or labelling operations;
 11. ‘point of entry’: means the point of release for free circulation [F⁷in Great Britain].]
 12. [F⁸‘third country’ has the same meaning as in Council Regulation (EC) No 834/2007;
 13. ‘relevant authority’ means:
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers;]]
 14. [F⁹‘Article 3 list’ means the list of control bodies and control authorities for the purpose of compliance and relevant specifications referred to in Article 3;
 15. ‘Article 7 list’ means the list of third countries and relevant specifications referred to in Article 7;
 16. ‘Article 10 list’ means the list of control bodies and control authorities for the purpose of equivalence and relevant specifications referred to in Article 10.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2016/1842 of 14 October 2016 amending Regulation \(EC\) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation \(EC\) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information \(Text with EEA relevance\).](#)

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- F2** Words in Art. 2(5) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 2(5) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(a)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(a)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 2(6) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Art. 2(7) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Inserted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F7** Words in Art. 2(11) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(d)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(a)(ii)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 2(12)(13) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(2)(e)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(a)(iii)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Art. 2(14)-(16) inserted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(2)**

TITLE II

IMPORT OF COMPLIANT PRODUCTS

CHAPTER 1

List of recognised control bodies and control authorities for the purpose of compliance

Article 3

Compilation and content of the list of recognised control bodies and control authorities for the purpose of compliance

1 The [^{F10}Secretary of State] shall draw up a list of control bodies and control authorities, recognised for the purpose of compliance in accordance with Article 32(2) of Regulation (EC) No 834/2007. ^{F11}... The procedures for drawing up and amending the list are defined in Articles 4, 16 and 17 of this Regulation. [^{F12}The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the control bodies and control authorities and other information falling within paragraph 2 listed in Annex 1 of this Regulation, as that Annex had effect immediately before it was revoked.]

2 The list shall contain all the information necessary in respect of each control body or control authority to allow verifying whether products placed on the ^{F13}... market have been controlled by a control body or authority recognised in accordance with Article 32(2) of Regulation (EC) No 834/2007 and in particular:

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- a the name and address of the control body or control authority, including e-mail and Internet address and their code number;
- b the third countries concerned and in which the products have their origin;
- c the product categories concerned for each third country;
- d the duration of the inclusion in the list;
- e the Internet address where the list of operators subject to the control system can be found, including their certification status and the product categories concerned, as well as suspended and decertified operators and products.

[^{F14}The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.]

Textual Amendments

- F10** Words in Art. 3(1) substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 3(1) omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 3(1) substituted (13.11.2021) by [The Organics \(Equivalence and Control Bodies Listing\) \(Amendment\) Regulations 2021 \(S.I. 2021/1266\)](#), regs. 1, **4(3)(a)**
- F13** Word in Art. 3(2) omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 3(2) inserted (13.11.2021) by [The Organics \(Equivalence and Control Bodies Listing\) \(Amendment\) Regulations 2021 \(S.I. 2021/1266\)](#), regs. 1, **4(3)(b)**

Article 4

Procedure for requesting inclusion in the list of recognised control bodies and control authorities for the purpose of compliance

[^{F11} [^{F15}The Secretary of State] shall [^{F1} consider whether to recognise and include a control body or control authority in the list provided for in Article 3 upon receipt of a request thereto from the representative of the control body or control authority concerned on the basis of the model of application made available ^{F16} ... in accordance with Article 17(2). ^{F17} ...]

2 The request can be introduced by control bodies and control authorities established in the [^{F18}United Kingdom] or in a third country.

3 The request shall consist of a technical dossier, which shall comprise all the information needed for the [^{F19}Secretary of State to ensure] that the conditions set out in Article 32(1) and (2) of Regulation (EC) No 834/2007 are met for all organic products intended for export to [^{F20}Great Britain], namely:

- a an overview of the activities of the control body or control authority in the third country or third countries concerned, including an estimate of the number of operators involved and an indication of the expected nature and quantities of agricultural products and foodstuffs originated from the third country or third countries concerned and intended for export to [^{F21}Great Britain] under the rules set out in Article 32(1) and (2) of Regulation (EC) No 834/2007;

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- b a detailed description of how Titles II, III and IV of Regulation (EC) No 834/2007 as well as the provisions of Regulation (EC) No 889/2008 have been implemented in the third country or in each of the third countries concerned;
- c a copy of the assessment report as set out in the fourth subparagraph of Article 32(2) of Regulation (EC) No 834/2007:
 - (i) proving that the control body or control authority has been satisfactorily assessed on its ability to meet the conditions set out in Article 32(1) and (2) of Regulation (EC) No 834/2007;
 - (ii) giving guarantees on the elements referred to in Article 27(2), (3), (5), (6) and (12) of Regulation (EC) No 834/2007;
 - (iii) ensuring that the control body or control authority meets the control requirements and precautionary measures set out in Title IV of Regulation (EC) No 889/2008; and
 - (iv) confirming that it has effectively implemented its control activities according to these conditions and requirements;
- d proof that the control body or authority has notified its activities to the authorities of the third country concerned and its undertaking to respect the legal requirements imposed on it by the authorities of the third country concerned;
- e the website address where the list of operators subject to the control system can be found, as well as a contact point where information is readily available on their certification status, the product categories concerned, as well as suspended and decertified operators and products;
- f an undertaking to comply with the provisions of Article 5 of this Regulation;
- g any other information deemed relevant by the control body or control authority or by the [F22Secretary of State].

4 When examining a request for inclusion in the list of control body or control authority, and also any time after its inclusion, the [F23Secretary of State] may request any further information, including the presentation of one or more on-the-spot examination reports established by independent experts. Furthermore, the [F23Secretary of State] may, based on risk-assessment and in case of suspected irregularities, organise an on-the-spot examination by experts it designates.

5 The [F24Secretary of State] shall assess whether the technical dossier referred to in paragraph 3 and the information referred to in paragraph 4 are satisfactory and may subsequently decide to recognise and include a control body or control authority in the list. [F25If the Secretary of State decides to do so, the Secretary of State must notify the control body or control authority of this decision.]

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F15** Words in Art. 4(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(4)(a)(i); 2020 c. 1, Sch. 5 para. 1(1)

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- F16** Words in Art. 4(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 4(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 4(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 4(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(c)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 4(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(c)(i)(bb)** (as amended by S.I. 2020/1452, regs. 1(2)(b), **5(4)(b)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F21** Words in Art. 4(3)(a) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(c)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), **5(4)(b)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F22** Words in Art. 4(3)(g) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 4(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 4(5) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(4)(e)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in Art. 4(5) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(4)**

Article 5

Management and review of the list of recognised control bodies and control authorities for the purpose of compliance

1 A control body or control authority may only be included in the list referred to in Article 3 when it fulfils the following obligations:

- a if, after the control body or control authority has been included in the list, any changes are made to the measures applied by the control body or control authority, that control body or control authority shall notify the [^{F26}Secretary of State] thereof; requests to amend the information in respect of a control body or control authority referred to in Article 3(2) shall also be notified to the [^{F26}Secretary of State];
- b a control body or control authority included in the list shall keep available and communicate at first request all information related to its control activities in the third country; it shall give access to its offices and facilities to experts designated by the [^{F27}Secretary of State];
- c by 31 March every year, the control body or control authority shall send a concise annual report to the [^{F28}Secretary of State]; the annual report shall update the information of the technical dossier referred to in Article 4(3); it shall describe in particular the control activities carried out by the control body or control authority in the third countries during the previous year, the results obtained, the irregularities and infringements observed and

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- the corrective measures taken; it shall furthermore contain the most recent assessment report or update of such report, which shall contain the results of the regular on-the-spot evaluation, surveillance and multiannual reassessment as referred to in Article 32(2) of Regulation (EC) No 834/2007; the [F28Secretary of State] may request any other information deemed necessary;
- d in the light of any information received, the [F29Secretary of State] may at any time amend the specifications relating to the control body or control authority and may suspend the entry of that body or authority in the list referred to in Article 3; a similar decision may also be made where a control body or authority has not supplied information required or where it has not agreed to an on-the-spot examination;
- e the control body or control authority shall make available to interested parties, on an Internet website, a continuously updated list of operators and products certified as organic.
- 2 If a control body or a control authority does not send the annual report, referred to in paragraph 1(c), does not keep available or does not communicate all information related to its technical dossier, control system or updated list of operators and products certified as organic, or does not agree to an on-the-spot examination, after request by the [F30Secretary of State] within a period which the [F30Secretary of State] shall determine according to the severity of the problem and which generally may not be less than 30 days, [F31the Secretary of State may F32... withdraw that control body or control authority from the list of control bodies and control authorities.]

If a control body or a control authority fails to take appropriate and timely remedial action, the [F33Secretary of State] shall withdraw it from the list without delay.

Textual Amendments

- F26** Words in Art. 5(1)(a) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in Art. 5(1)(b) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in Art. 5(1)(c) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F29** Words in Art. 5(1)(d) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Words in Art. 5(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(b)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in Art. 5(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(b)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F32** Words in Art. 5(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(5)**
- F33** Words in Art. 5(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(5)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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CHAPTER 2

Documentary evidence required for import of compliant products

Article 6

Documentary evidence

1 The documentary evidence required for import of compliant products referred to in Article 32(1)(c) of Regulation (EC) No 834/2007, shall, in accordance with Article 17(2) of this Regulation, be established on the basis of the model set out in Annex II to this Regulation and contain at least all the elements that are part of that model.

2 The original documentary evidence shall be established by a control authority or the control body which has been recognised for issuing that documentary by a decision as referred to in Article 4.

3 The authority or body issuing the documentary evidence shall follow the rules established in accordance with Article 17(2) and in the model, notes and guidelines made available by the [^{F34}Secretary of State] via the computer system enabling electronic exchange of documents referred to in Article 17(1).

Textual Amendments

F34 Words in [Art. 6\(3\)](#) substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), [4\(6\)](#); 2020 c. 1, Sch. 5 para. 1(1)

TITLE III

IMPORT OF PRODUCTS PROVIDING EQUIVALENT GUARANTEES

CHAPTER 1

List of recognised third countries

Article 7

Compilation and content of the list of third countries

1 The [^{F35}Secretary of State] shall establish a list of recognised third countries in accordance with Article 33(2) of Regulation (EC) No 834/2007. [^{F36}The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the third countries and other information falling within paragraph 2 listed in Annex 3 of this Regulation, as that Annex had effect immediately before it was revoked, with the exception of the date by which the recognition of equivalence of the European Union is to be reassessed, which must be entered as 31 December 2023.] The procedures for drawing up and amending the list are defined in Articles 8 and 16 of this Regulation. Amendments to the list shall be made available to the public on the Internet [^{F37}from time to time].

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

2 The list shall contain all the information necessary in respect of each third country to allow verifying whether products placed on the [^{F38}market in Great Britain] have been subject to the control system of the third country recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007 and in particular:

- a the product categories concerned;
- b the origin of the products;
- c a reference to the production standards applied in the third country;
- d the competent authority in the third country responsible for the control system, its address, including e-mail and Internet addresses;
- [^{F1}e the name, address, email address, internet address and code number of the control authority or authorities and the control body or bodies recognised by the competent authority referred to in point (d) to carry out controls;
- f the name, address, email address, internet address and code number of the authority or authorities and the control body or bodies responsible in the third country for issuing certificates with a view to importing into [^{F39}Great Britain];]
- g the duration of the inclusion in the list.

[^{F40}The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.]

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F35** Words in Art. 7(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 7(1) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(6)(a)(i)**
- F37** Words in Art. 7(1) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(6)(a)(ii)**
- F38** Words in Art. 7(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(7)(b)(i)** (as amended by S.I. 2020/1452, regs. 1(2)(b), **5(4)(c)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F39** Words in Art. 7(2)(f) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(7)(b)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), **5(4)(c)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F40** Words in Art. 7(2) inserted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(6)(b)**

Article 8

Procedure for requesting inclusion in the list of third countries

^{F41}1

2 The [^{F42}Secretary of State] shall only be required to consider a [^{F43}request from a third country for inclusion on the list provided for in Article 7 if it] meets the following preconditions.

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

The request for inclusion shall be completed by a technical dossier, which shall comprise all the information needed for the [F42Secretary of State] to ensure that the conditions set out in Article 33(1) of Regulation (EC) No 834/2007 are met for products intended for export to [F44Great Britain], namely:

- a general information on the development of organic production in the third country, the products produced, the area in cultivation, the production regions, the number of producers, the food processing taking place;
- b an indication of the expected nature and quantities of organic agricultural products and foodstuffs intended for export to [F44Great Britain];
- c the production standards applied in the third country as well as an assessment of their equivalence to the standards applied in [F44Great Britain];
- d the control system applied in the third country, including the monitoring and supervisory activities carried out by the competent authorities in the third country, as well as an assessment of its equivalent effectiveness when compared to the control system applied in [F44Great Britain];
- e the Internet or other address where the list of operators subject to the control system can be found, as well as a contact point where information is readily available on their certification status and the product categories concerned;
- f the information the third country proposes to include in the list as referred to in Article 7;
- g an undertaking to comply with the provisions of Article 9;
- h any other information deemed relevant by the third country or by the [F42Secretary of State].

3 When examining a request for inclusion in the list of recognised third countries, and also any time after its inclusion, the [F45Secretary of State] may request any further information, including the presentation of one or more on-the-spot examination reports established by independent experts. Furthermore, the [F45Secretary of State] may, based on risk-assessment and in case of suspected irregularities organise an on-the-spot examination by experts [F46designated by the Secretary of State].

[F47Experts from other third countries recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007 may be invited by the [F45Secretary of State] to attend on-the-spot-examination as observers.]

[F484 The [F49Secretary of State] shall assess whether the technical dossier referred to in paragraph 2 and the information referred to in paragraph 3 are satisfactory and may subsequently decide to recognise and include a third country in the list for a three-year period. [F50If the Secretary of State decides to do so, the Secretary of State must notify the third country of this decision.] Where the [F49Secretary of State] considers that the conditions laid down in Regulation (EC) No 834/2007 and this Regulation continue to be met, [F51the Secretary of State] may decide to extend the inclusion of the third country after that three-year period.

[F52In that case the Secretary of State must cause the duration of the extension to be entered on the list, and must notify the third country of this decision.]]

Textual Amendments

- F41** Art. 8(1) omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Art. 8(2) substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(8)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- F43** Words in Art. 8(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(8)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 8(2) substituted (31.12.2020) by by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(8)(b)(iii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), **5(4)(d)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F45** Words in Art. 8(3) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452), regs. 1(2)(a), **2(2)(a)(i)**
- F46** Words in Art. 8(3) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452), regs. 1(2)(a), **2(2)(a)(ii)**
- F47** Inserted by Commission Implementing Regulation (EU) No 125/2013 of 13 February 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F48** Substituted by Commission Implementing Regulation (EU) No 508/2012 of 20 June 2012 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F49** Words in Art. 8(4) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452), regs. 1(2)(a), **2(2)(b)(i)**
- F50** Words in Art. 8(4) inserted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(7)(a)**
- F51** Words in Art. 8(4) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452), regs. 1(2)(a), **2(2)(b)(ii)**
- F52** Words in Art. 8(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(7)(b)**

Article 9

Management and review of the list of third countries

1 The [^{F53}Secretary of State] shall only be required to consider a request for inclusion when the third country undertakes to accept the following conditions:

- [^{F1}a if, after a third country has been included in the list, any changes are made to the measures in force in the third country or their implementation and in particular to its control system, that third country shall notify the [^{F53}Secretary of State] thereof without delay; any changes made to the information referred to in points (d), (e) and (f) of Article 7(2) shall be notified to the [^{F53}Secretary of State] without delay ^{F54}...;]
- b the annual report referred to in Article 33(2) of Regulation (EC) No 834/2007 shall update the information of the technical dossier referred to in Article 8(2) of this Regulation; it shall describe in particular the monitoring and supervisory activities carried out by the competent authority of the third country, the results obtained and the corrective measures taken;
- c in the light of any information received, the [^{F53}Secretary of State] may at any time amend the specifications relating to the third country and may suspend the entry of that country from the list referred to in Article 7; a similar decision may also be made where

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

a third country has not supplied information required or where it has not agreed to an on-the-spot examination.

2 If a third country does not send the annual report, referred to Article 33(2) of Regulation (EC) No 834/2007, does not keep available or does not communicate all information related to its technical dossier or control system or does not agree to an on-the-spot examination, after request by the [^{F53}Secretary of State] within a period which the [^{F53}Secretary of State] shall determine according to the severity of the problem and which generally may not be less than 30 days, [^{F55}the Secretary of State may^{F56} ... withdraw that third country from the list.].

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F53** Words in Art. 9 substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in Art. 9(1)(a) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F55** Words in Art. 9(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(9)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 9(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(8)**

CHAPTER 2

List of recognised control bodies and control authorities for the purpose of equivalence

Article 10

Compilation and content of the list of recognised control bodies and control authorities for the purpose of equivalence

1 The [^{F57}Secretary of State must maintain] a list of control bodies and control authorities, recognised for the purpose of equivalence in accordance with Article 33(3) of Regulation (EC) No 834/2007. [^{F58}The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the control bodies and control authorities and other information falling within paragraph 2 listed in Annex 4 of this Regulation, as that Annex had effect immediately before it was revoked.] The procedures for drawing up and amending the list are defined in Articles 11, 16 and 17 of this Regulation. [^{F59}The Secretary of State must make amendments to the list available to the public on the internet from time to time.]

2 The list shall contain all the information necessary in respect of each control body or authority to allow verifying whether products placed on the ^{F60}... market have been controlled

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

by a control body or authority recognised in accordance with Article 33(3) of Regulation (EC) No 834/2007 and in particular:

- a the name, address and code number of the control body or authority, and, when appropriate, its e-mail and Internet address;
- b the third countries not listed in the list provided for in Article 7 where the products have their origin;
- c the product categories concerned for each third country;
- d the duration of the inclusion in the list; ^{F61} and]
- ^{F62}e the internet website where an updated list of operators subject to the control system can be found, indicating their certification status and the product categories concerned as well as a contact point where information is available on suspended and decertified operators and products ^{F62}; and]]
- ^{F63}f the internet website where a complete presentation of the production standard and control measures applied by the control body or control authority in a third country can be found.]

^{F64}The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.]

^{F13} By way of derogation from paragraph 2(b), those products originating from a recognised third country listed in accordance with Article 7, but not covered by the recognition granted to that third country, may be included in the list provided for in this Article.]

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F57** Words in Art. 10(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(10)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Art. 10(1) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(9)(a)(i)**
- F59** Words in Art. 10(1) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(9)(a)(ii)**
- F60** Word in Art. 10(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F61** Deleted by Commission Implementing Regulation (EU) No 586/2013 of 20 June 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries and derogating from Regulation (EC) No 1235/2008 as regards the date of submission of the annual report (Text with EEA relevance).
- F62** Substituted by Commission Implementing Regulation (EU) No 586/2013 of 20 June 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries and derogating from Regulation (EC) No 1235/2008 as regards the date of submission of the annual report (Text with EEA relevance).
- F63** Inserted by Commission Implementing Regulation (EU) No 586/2013 of 20 June 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

(EC) No 834/2007 as regards the arrangements for imports of organic products from third countries and derogating from Regulation (EC) No 1235/2008 as regards the date of submission of the annual report (Text with EEA relevance).

F64 Words in Art. 10(2) inserted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(9)(b)**

Article 11

Procedure for requesting inclusion in the list of recognised control bodies and control authorities for the purpose of equivalence

^{F65}1 The [^{F66}Secretary of State] shall consider whether to include a control body or control authority in the list provided for in Article 10 upon receipt of a request thereto from the representative of the control body or control authority concerned on the basis of the model of application made available by the [^{F66}Secretary of State] in accordance with Article 17(2). ^{F67}...

2 The request can be introduced by control bodies and control authorities established in the [^{F68}United Kingdom] or in a third country.

3 The request for inclusion shall consist of a technical dossier, which shall comprise all the information needed for the [^{F66}Secretary of State] to ensure that the conditions set out in Article 33(3) of Regulation (EC) No 834/2007 are met for products intended for export to [^{F69}Great Britain], namely:

- a an overview of the activities of the control body or control authority in the third country or third countries, including an estimate of the number of operators involved and the expected nature and quantities of agricultural products and foodstuffs intended for export to [^{F69}Great Britain] under the rules set out in Article 33(1) and (3) of Regulation (EC) No 834/2007;
- b a description of the production standards and control measures applied in the third countries, including an assessment of the equivalence of these standards and measures with Titles III, IV and V of Regulation (EC) No 834/2007 as well as with the associated implementing rules laid down in Regulation (EC) No 889/2008;
- c a copy of the assessment report as set out in the fourth subparagraph of Article 33(3) of Regulation (EC) No 834/2007:
 - (i) proving that the control body or control authority has been satisfactorily assessed on its ability to meet the conditions set out in Article 33(1) and (3) of Regulation (EC) No 834/2007;
 - (ii) confirming that it has effectively implemented its activities according to those conditions; and
 - (iii) demonstrating and confirming the equivalence of the production standards and control measures referred to in subparagraph (b) of this paragraph;
- d proof that the control body or control authority has notified its activities to the authorities of each of the third countries concerned and its undertaking to respect the legal requirements imposed on it by the authorities of each of the third countries concerned;
- e the Internet website where the list of operators subject to the control system can be found, as well as a contact point where information is readily available on their certification status, the product categories concerned, as well as suspended and decertified operators and products;

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- f an undertaking to comply with the provisions of Article 12;
- g any other information deemed relevant by the control body or control authority or by the [F66Secretary of State].

4 When examining a request for inclusion in the list of control body or control authority, and also any time after its inclusion, the [F66Secretary of State] may request any further information, including the presentation of one or more on-the-spot examination reports established by independent expert. Furthermore, the [F66Secretary of State] may organise an on-the-spot examination by experts it designates on a risk-based approach and in case of suspected irregularities.

5 The [F66Secretary of State] shall assess whether the technical dossier referred to in paragraph 2 and the information referred to in paragraph 3 are satisfactory and may subsequently decide to recognise and include a control body or control authority in the list. [F70If the Secretary of State decides to do so, the Secretary of State must notify the control body or control authority of this decision.]

Textual Amendments

- F65** Substituted by [Commission Implementing Regulation \(EU\) 2020/25 of 13 January 2020 amending and correcting Regulation \(EC\) No 1235/2008 laying down detailed rules for implementation of Council Regulation \(EC\) No 834/2007 as regards the arrangements for imports of organic products from third countries \(Text with EEA relevance\)](#).
- F66** Words in Art. 11 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(11)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in Art. 11(1) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1452\)](#), regs. 1(2)(a), **2(3)**
- F68** Words in Art. 11(2) substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(11)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F69** Words in Art. 11(3) substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(11)(c)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), **5(4)(e)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F70** Words in Art. 11(5) substituted (13.11.2021) by [The Organics \(Equivalence and Control Bodies Listing\) \(Amendment\) Regulations 2021 \(S.I. 2021/1266\)](#), regs. 1, **4(10)**

Article 12

Management and review of the list of control bodies and control authorities for the purpose of equivalence

1 A control body or control authority may only be included in the list referred to in Article 10 when it fulfils the following obligations:

- a if, after a control body or control authority has been included in the list, any changes are made to the measures applied by the control body or control authority, that control body or control authority shall notify the [F71Secretary of State] thereof; requests to amend the information in respect of a control body or authority referred to in Article 10(2), shall also be notified to the [F71Secretary of State];
- b by [F6228 February] every year, the control body or control authority shall send a concise annual report to the [F71Secretary of State]. The annual report shall update the

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

information of the technical dossier referred to in Article 11(3); it shall describe in particular the control activities carried out by the control body or control authority in the third countries in the previous year, the results obtained, the irregularities and infringements observed and the corrective measures taken; It shall furthermore contain the most recent assessment report or update of such report, which shall contain the results of the regular on-the-spot evaluation, surveillance and multiannual reassessment as referred to in Article 33(3) of Regulation (EC) No 834/2007; the [F71Secretary of State] may request any other information deemed necessary;

- c in the light of any information received, the [F71Secretary of State] may at any time amend the specifications relating to the control body or control authority and may suspend the entry of that body or authority from the list referred to in Article 10; a similar decision may also be made where a control body or control authority has not supplied information required or where it has not agreed to an on-the-spot examination;
- d the control body or control authority shall make available to interested parties, by electronic means, a continuously updated list of operators, and of products certified as organic.

[F72] [F73The Secretary of State may F74... withdraw from the list referred to in Article 10 a control body or a control authority, or a reference to a specific product category or a specific third country in relation to that control body or control authority, in the following cases:]

- a if its annual report referred to paragraph 1(b) has not been received by the [F71Secretary of State] by [F6228 February];
- b if it does not notify the [F71Secretary of State] in due time of changes to its technical dossier;
- c if it does not provide information to the [F71Secretary of State] during the investigations of an irregularity case;
- d if it fails to take adequate corrective measures in response to the irregularities and infringements observed;
- e if it does not agree to an on-the-spot examination required by the [F71Secretary of State], or if an on-the-spot examination comes up with a negative result due to systematic malfunctioning of control measures;
- f in any other situation presenting the risk for the consumer to be misled about the true nature of the products certified by the control body or the control authority.

If a control body or a control authority fails to take appropriate and timely remedial action after request by the [F71Secretary of State] within a period which the [F71Secretary of State] shall determine according to the severity of the problem and which generally may not be less than 30 days, [F75the Secretary of State must F76... withdraw it from the list without delay]. F77... The [F71Secretary of State] shall make the amended list available as soon as possible to the public by any appropriate technical means, including publication on the Internet.]

Textual Amendments

- F62** Substituted by [Commission Implementing Regulation \(EU\) No 586/2013 of 20 June 2013 amending Regulation \(EC\) No 1235/2008 laying down detailed rules for implementation of Council Regulation \(EC\) No 834/2007 as regards the arrangements for imports of organic products from third countries and derogating from Regulation \(EC\) No 1235/2008 as regards the date of submission of the annual report \(Text with EEA relevance\).](#)
- F71** Words in Art. 12 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(12)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- F72** Substituted by Commission Implementing Regulation (EU) No 1267/2011 of 6 December 2011 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries.
- F73** Words in Art. 12(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(12)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F74** Words in Art. 12(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(11)(a)**
- F75** Words in Art. 12(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(12)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F76** Words in Art. 12(2) omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(11)(b)**
- F77** Words in Art. 12(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(12)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER 3

Release for free circulation of products imported in accordance with Article 33 of Regulation (EC) No 834/2007

[^{F1}Article 13

Certificate of inspection

1 The release for free circulation in [^{F78}Great Britain] of a consignment of products referred to in Article 1(2) of Regulation (EC) No 834/2007 and imported in accordance with Article 33 of that Regulation shall be conditional on:

- a the submission of an original certificate of inspection to the ^{F79}... competent authority;
- b the verification of the consignment and the endorsement of the certificate of inspection by the ^{F80}... competent authority; and
- c the indication of the number of the certificate of inspection in the customs declaration for release for free circulation as referred to in [^{F81}paragraph 17(4) of Schedule 1 to the Taxation (Cross-border) Trade Act 2018.]

The verification of the consignment and the endorsement of the certificate of inspection shall be carried out by the [^{F82}competent authority.]

^{F83}
...

[^{F84}The requirements in this Article relating to certificates of inspection apply to organic products entering the United Kingdom from the European Union, an EEA state or Switzerland only on and after [^{F85}1 January 2024].]

2 [^{F65}The certificate of inspection shall be issued by the relevant control authority or control body before the consignment leaves the third country of export or origin. It shall be endorsed by the ^{F86}... competent authority and completed by the first consignee on the basis of the model and the notes set out in Annex V and using [^{F87}Great Britain's import control system].]

^{F88}
...

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

When the original certificate of inspection is a printed and hand-signed copy of the completed electronic certificate in [F89the United Kingdom's import control system], control authorities, control bodies, F90 ... competent authorities and the first consignee shall verify at each stage of issuing, endorsement and reception of the certificate of inspection that this copy corresponds to the information indicated in [F89the United Kingdom's import control system]. [F91In the absence in the printed hand-signed copy of the certificate of inspection of the information related to transport documents in boxes 16 and 17, and the relevant fields of box 13, or where such information is different than the one available in [F89the United Kingdom's import control system], F90 ... competent authorities and the first consignee shall only consider for the purpose of verification and endorsement of the certificate of inspection the information available in [F89the United Kingdom's import control system].]

3 To be accepted for endorsement, the certificate of inspection shall have been issued by the control authority or control body of the producer or the processor of the product concerned or, where the operator carrying out the last operation for the purposes of preparation is different from the producer or processor of the product, by the control authority or control body of the operator carrying out the last operation for the purposes of preparation as defined in Article 2(i) of Regulation (EC) No 834/2007.

That control authority or control body shall be:

- a a control authority or control body listed in [F92the Article 7 list] for the products concerned and for the third country in which the products have their origin, or, where applicable, in which the last operation for the purposes of preparation has been carried out; or
- b a control authority or control body listed in [F93the Article 10 list] for the products concerned and for the third country in which the products have their origin or in which the last operation for the purposes of preparation has been carried out.

4 [F94The control authority or control body issuing the certificate of inspection shall only issue the certificate of inspection and sign the declaration in box 18 of the certificate after it has carried out a documentary check on the basis of all relevant inspection documents, including in particular the production plan for the product concerned, commercial documents and, as appropriate according to its risk assessment, it has carried out a physical check of the consignment. The information related to transport documents in box 13, in particular number of packages and net weight, and the information in boxes 16 and 17 of the certificate of inspection concerning means of transport and transport documents shall be included in the certificate of inspection within maximum 10 days from the issuance of the certificate and, in any case, before endorsement of the certificate of inspection by the relevant Member State's competent authorities.]

However, for processed products, if the control authority or control body issuing the certificate of inspection is a control authority or control body listed in [F95the Article 7 list], it shall only issue the certificate of inspection and sign the declaration in box 18 of the certificate after it has verified that all organic ingredients of the product have been controlled and certified by a control authority or control body recognised by the third country concerned listed in [F96the Article 7 list], or if the issuing control authority or control body is a control authority or control body listed in [F97the Article 10 list], it shall only issue the certificate of inspection and sign the declaration in box 18 of the certificate after it has verified that all organic ingredients of such products have been controlled and certified by a control authority or control body listed in [F98the Article 7 list or the Article 10 list] or have been produced and certified in [F99Great Britain] in accordance with Regulation (EC) No 834/2007.

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Where the operator carrying out the last operation for the purposes of preparation is different from the producer or processor of the product, the control authority or control body issuing the certificate of inspection and listed in [F¹⁰⁰the Article 10 list] shall only issue the certificate of inspection and sign the declaration in box 18 of the certificate after it has carried out a documentary check on the basis of all relevant inspection documents, including transport documents and commercial documents, it has verified that the production or the processing of the product concerned has been controlled and certified by a control body or control authority recognised for the products concerned and the country concerned in accordance with Article 33(3) of Regulation (EC) No 834/2007 and it has carried out, as appropriate according to its risk assessment, a physical check of the consignment.

At the request of the [F¹⁰¹Secretary of State], the control authority or control body issuing the certificate of inspection in accordance with the second and third subparagraphs shall make available without delay the list of all operators in the organic production chain and the control authorities or control bodies under whose control those operators have placed their operations.

5 The certificate of inspection shall be made in one single original.

The first consignee or, where relevant, the importer may make a copy of the certificate of inspection for the purpose of informing the control authorities and control bodies in accordance with Article 83 of Regulation (EC) No 889/2008. Any such copy shall carry the indication 'COPY' printed or stamped thereon.

6 At the verification of a consignment, the F¹⁰²... competent authority shall endorse the original certificate of inspection in box 20 and shall return it to the person who submitted the certificate.

7 The first consignee shall, at the reception of the consignment, complete box 21 of the certificate of inspection, to certify that the reception of the consignment has been carried out in accordance with Article 34 of Regulation (EC) No 889/2008.

The first consignee shall then send the original of the certificate to the importer mentioned in box 11 of the certificate for the purposes of the second subparagraph of Article 33(1) of Regulation (EC) No 834/2007.

[F¹⁰³8 During the transition period a certificate of inspection issued by a control body which appears on both [F¹⁰⁴the Article 10 list] and Annex 4 of Regulation (EC) No 1235/2008 as it had effect in EU law immediately before IP completion day must be accepted for the purposes of satisfying the requirements, including those in paragraph 1, for import into Great Britain notwithstanding that the certificate of inspection certifies compliance with requirements in Regulation (EC) No 834/2007 as it has effect in EU law from time to time.

9 During the transition period a certificate of inspection issued by a control body which appears on both [F¹⁰⁵the Article 10 list] and Annex 4 of Regulation (EC) No 1235/2008 as it had effect in EU law immediately before IP completion day must not be accepted for the purposes of satisfying the requirements, including those in paragraph 1, for import into Great Britain where it certifies compliance with Regulation (EC) No 834/2007 as it has effect in Great Britain unless the competent authority has approved the control body to certify products to Great Britain standards, following a notification in accordance with Article 12(1).

10 The transition period referred to in paragraphs 8 and 9 is a period which begins on IP completion day and ends on 31st December 2022.]]

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F65** Substituted by Commission Implementing Regulation (EU) 2020/25 of 13 January 2020 amending and correcting Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F78** Words in Art. 13(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), 5(4)(f)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F79** Words in Art. 13(1)(a) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F80** Words in Art. 13(1)(b) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F81** Words in Art. 13(1)(c) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F82** Words in Art. 13(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F83** Words in Art. 13(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(a)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F84** Words in Art. 13 inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(b)** (as amended by S.I. 2020/1661, regs. 1(2)(b), 13(3)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F85** Words in Art. 13(1) substituted (1.7.2022) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2022 (S.I. 2022/609), regs. 1(2), **4(2)**
- F86** Words in Art. 13(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(c)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F87** Words in Art. 13(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(c)(i)(bb)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(f)(ii)); 2020 c. 1, Sch. 5 para. 1(1)
- F88** Words in Art. 13(2) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1452), regs. 1(2)(a), **2(4)**; and also omitted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(c)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(f)(iii)); 2020 c. 1, Sch. 5 para. 1(1)
- F89** Words in Art. 13(2) substituted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(c)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F90** Words in Art. 13(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(c)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- F91** Inserted by Commission Implementing Regulation (EU) 2020/479 of 1 April 2020 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F92** Words in Art. 13(3)(a) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(a)(i)**
- F93** Words in Art. 13(3)(b) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(a)(ii)**
- F94** Substituted by Commission Implementing Regulation (EU) 2020/479 of 1 April 2020 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F95** Words in Art. 13(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(b)(i)(aa)**
- F96** Words in Art. 13(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(b)(i)(bb)**
- F97** Words in Art. 13(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(b)(i)(cc)**
- F98** Words in Art. 13(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(b)(i)(dd)**
- F99** Words in Art. 13(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(d)(i)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), 5(4)(f)(iv)); 2020 c. 1, Sch. 5 para. 1(1)
- F100** Words in Art. 13(4) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(b)(ii)**
- F101** Words in Art. 13(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F102** Words in Art. 13(6) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F103** Art. 13(8)-(10) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(13)(f)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(f)(v)); 2020 c. 1, Sch. 5 para. 1(1)
- F104** Words in Art. 13(8) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(c)**
- F105** Words in Art. 13(9) substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(12)(d)**

^{F6}Article 13a

Force majeure or exceptional circumstances

1 In cases of *force majeure* or exceptional circumstances preventing the electronic system from working, and in particular of malfunctioning of the system or a lack of a lasting connection, certificates of inspection and their extracts may be issued and endorsed pursuant to Article 13(3) to (7) without using [^{F106}Great Britain's electronic import control system] in accordance with paragraphs [^{F107}2 and 3] of this Article, and on the basis of the models and the notes set out in Annex V or VI. The competent authorities, control authorities, control bodies and operators shall inform the [^{F108}Secretary of State] without delay and shall insert in [^{F106}Great Britain's electronic import control system] all the necessary details within ten calendar days following the re-establishment of the system.

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

2 When the certificate of inspection is issued without using [^{F109}Great Britain's electronic import control system], it shall be drawn up in [^{F110}English, and may also appear in other languages,] and filled in, except for the stamps and signatures, either entirely in capital letters or entirely in typescript.

^{F111} ...

Uncertified alterations or erasures shall invalidate the certificate.

3 The control authority or control body issuing the certificate of inspection shall give a serial number to each issued certificate and keep a register of the issued certificates in chronological order and make the correspondence afterward with the serial number given by [^{F112}Great Britain's import control system].

^{F113}4

Textual Amendments

- F6** Inserted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F106** Words in Art. 13a(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(a)(i)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F107** Words in Art. 13a(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Art. 13a(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 13a(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(b)(i)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F110** Words in Art. 13a(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F111** Words in Art. 13a(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F112** Words in Art. 13a(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(c)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F113** Art. 13a(4) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(14)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Article 13b

Importer

The importer shall indicate the number of the certificate of inspection in the customs declaration for release for free circulation as referred to in ^{F114}section 3 of the Taxation (Cross-border) Trade Act 2018].

^{F115}The requirements of this Article apply to organic products entering the United Kingdom from the European Union, an EEA state or Switzerland only on and after ^{F116}1 January 2024].]

Textual Amendments

- F6** Inserted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F114** Words in Art. 13b substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(15)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F115** Words in Art. 13b inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(15)(b)** (as amended by S.I. 2020/1661, regs. 1(2)(b), 13(3)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F116** Words in Art. 13b substituted (1.7.2022) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2022 (S.I. 2022/609), regs. 1(2), **4(3)**

Article 13c

Access rights

The ^{F117}Secretary of State] shall be in charge of granting and updating access rights to ^{F118}Great Britain's import control system]^{F119}... of competent authorities of third countries recognised in accordance with Article 33(2) of ^{F120}Regulation (EC) No 834/2007] and of control authorities and control bodies listed in ^{F121}the Article 7 list or the Article 10 list]. Before granting access rights to ^{F118}Great Britain's import control system], the ^{F117}Secretary of State] shall verify the identity of the competent authorities, control authorities and control bodies concerned.

^{F122}The competent authority is in charge of granting and updating access rights to Great Britain's import control system of operators, control authorities and control bodies. Before granting access rights to Great Britain's import control system, the competent authority must verify the identity of the operators, control authorities and control bodies concerned.]

F123

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Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Textual Amendments

- F6** Inserted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F117** Words in Art. 13c substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F118** Words in Art. 13c substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(a)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(h)); 2020 c. 1, Sch. 5 para. 1(1)
- F119** Words in Art. 13c omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F120** Words in Art. 13c substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F121** Words in Art. 13c substituted (13.11.2021) by The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(13)**
- F122** Words in Art. 13c substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(b)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(h)); 2020 c. 1, Sch. 5 para. 1(1)
- F123** Words in Art. 13c omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(16)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 13d

Integrity and legibility of information

[^{F124}Great Britain's import control system] shall protect the integrity of the information encoded in accordance with this Regulation.

In particular, it shall offer the following guarantees:

- (a) it shall allow each user to be unequivocally identified and shall incorporate effective control measures of access rights in order to protect against illegal, malicious or unauthorised access, deletion, alteration or movement of the information, files and metadata;
- (b) it shall be equipped with physical protection systems against intrusions and environmental incidents and software protection against cyber-attacks;
- (c) it shall safeguard stored data in an environment which is secure in both physical and software terms;
- (d) it shall prevent, by various means, any unauthorised changes and incorporate integrity mechanisms to check if the information has been altered over time;
- (e) it shall keep an audit trail for each essential stage of the procedure;

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- (f) it shall provide reliable format conversion and migration procedures in order to guarantee that the information is legible and accessible throughout the entire storage period required;
- (g) it shall have sufficiently detailed and up-to-date functional and technical documentation on the operation and characteristics of the system, that documentation being accessible at all times to the organisational entities responsible for the functional and/or technical specifications.]

Textual Amendments

- F6** Inserted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F124** Words in Art. 13d substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(17) (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(i)); 2020 c. 1, Sch. 5 para. 1(1)

Article 14

Special customs procedures

[^{F11} Where a consignment coming from a third country is placed under customs warehousing or inward processing as provided for in [^{F125}the Taxation (Cross-border) Trade Act 2018], and subject to one or more preparations as referred to in the second subparagraph, the [^{F126}... competent authority shall carry out the verification of the consignment as referred to in point (b) of the first subparagraph of Article 13(1) of this Regulation before the first preparation is carried out. The reference number of the customs declaration by which the goods have been declared for customs warehousing or for inward processing procedure shall be indicated in box 19 of the certificate of inspection.

The preparation shall be limited to the following types of operations:

- a packaging or repackaging; or
- b labelling concerning the presentation of the organic production method.

After this preparation, the consignment shall be subject, before the release for free circulation [^{F127}in Great Britain], to the measures referred to in Article 13(1) of this Regulation.

After this procedure, the original of the certificate of inspection shall, where relevant, be returned to the importer of the consignment, referred to in box 11 of the certificate for the purposes of the second subparagraph of Article 33(1) of Regulation (EC) No 834/2007.]

[^{F128}The requirements in this Article in respect of a certificate of inspection apply to organic products entering Great Britain from the European Union, an EEA state or Switzerland only on and after [^{F129}1 January 2024].]

2 Where, under a [^{F130}special] procedure pursuant to [^{F131}the Taxation (Cross-border) Trade Act 2018], a consignment coming from a third country is intended to be [^{F132}split] into

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

different batches, the consignment shall be subject, before this splitting is carried out, to the measures referred to in Article 13(1) of this Regulation.

[^{F1}For each of the batches which results from the splitting, the importer mentioned in box 11 of the certificate of inspection shall submit an extract of the certificate of inspection through [^{F133}Great Britain's import control system] to the ^{F134}... competent authority, in accordance with the model and the notes set out in Annex VI. After verification of the batch, the ^{F134}... competent authority shall endorse the extract of the certificate of inspection in box 13 for the purpose of the release for free circulation [^{F135}in Great Britain]. ^{F136}...]

A copy of each endorsed extract from the certificate of inspection shall be kept together with the original certificate of inspection by the person identified as the original importer of the consignment and mentioned in box 11 of the certificate of inspection. This copy shall carry the indication 'COPY' or 'DUPLICATE' printed or stamped thereon.

^{F137}
...

[^{F138}The consignee of a batch shall, at the reception thereof, complete the original of the extract of the certificate of inspection in box 14, in order to certify that the reception of the batch has been carried out in accordance with Article 34 of Regulation (EC) No 889/2008.]

The consignee of a batch shall keep the extract of the certificate of inspection at the disposal of the control authorities and/or control bodies for not less than two years.

3 The preparation and splitting operations referred to in paragraphs 1 and 2 shall be carried out in accordance with the relevant provisions set out in Title V of Regulation (EC) No 834/2007 and in Title IV of Regulation (EC) No 889/2008.

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F125** Words in Art. 14(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F126** Words in Art. 14(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F127** Words in Art. 14(1) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(a)(iii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(j)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F128** Words in Art. 14(1) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(a)(iv)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(j)(ii); S.I. 2020/1661, regs. 1(2)(b), 13(3)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F129** Words in Art. 14(1) substituted (1.7.2022) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2022 (S.I. 2022/609), regs. 1(2), **4(4)**

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- F130** Word in Art. 14(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F131** Words in Art. 14(2) substituted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F132** Word in Art. 14(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F133** Words in Art. 14(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(iv)(aa)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(j)(iii)); 2020 c. 1, Sch. 5 para. 1(1)
- F134** Words in Art. 14(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(iv)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F135** Words in Art. 14(2) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(iv)(cc)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(j)(iv)); 2020 c. 1, Sch. 5 para. 1(1)
- F136** Words in Art. 14(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(18)(b)(iv)(dd)**; 2020 c. 1, Sch. 5 para. 1(1)
- F137** Deleted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F138** Substituted by Commission Implementing Regulation (EU) 2017/872 of 22 May 2017 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).

^{F72}Article 15

Non-compliant products

1 Without prejudice to any measures or actions taken in accordance with Article 30 of Regulation (EC) No 834/2007 and/or Regulation (EC) No 889/2008, the release for free circulation in [^{F139}Great Britain] of products not in conformity with the requirements of Regulation (EC) No 834/2007 [^{F140}, or in relation to products to which paragraph 8 of Article 13 applies, Regulation (EC) No 834/2007 on organic production and labelling of organic products as it has effect in EU law from time to time,] shall be conditional on the removal of references to organic production from the labelling, advertising and accompanying documents.

F141 ... F141 ...

2 [^{F142}Without prejudice to any measures or actions to be taken in accordance with Article 30 of Regulation (EC) No 834/2007, in case of suspicion of infringements and irregularities as regards compliance of imported organic products from third countries recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007 or imported organic products controlled by control authorities or control bodies recognised in accordance with Article 33(3) of that Regulation with the requirements laid down in that Regulation, the

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importer shall take all necessary measures in accordance with Article 91(1) of Regulation (EC) No 889/2008.]

The importer and the control authority or control body which issued the certificate of inspection as referred to in Article 13 of this Regulation shall immediately inform the control bodies, control authorities and competent authorities [^{F143}of both the United Kingdom and the] third countries involved in the organic production of the products in question ^{F144}.... The control authority or control body may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received from the operator or from other sources, that the doubt has been eliminated.

^{F1423} Without prejudice to any measures or actions to be taken in accordance with Article 30 of Regulation (EC) No 834/2007, where a control authority or control body of [^{F145}the United Kingdom] or a third country has a substantiated suspicion of an infringement or irregularity as regards compliance of imported organic products from third countries recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007 or imported organic products controlled by control authorities or control bodies recognised in accordance with Article 33(3) of that Regulation with the requirements laid down in that Regulation, it shall take all necessary measures in accordance with Article 91(2) of Regulation (EC) No 889/2008 and shall immediately inform the control bodies, control authorities and competent authorities of the [^{F146}United Kingdom] and of the third countries involved in the organic production of the products in question ^{F147}....]

^{F1474} Where a competent authority of a third country recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007 or a control authority or control body recognised in accordance with Article 33(3) of that Regulation is notified by the [^{F148}Secretary of State] of a substantiated suspicion of an infringement or irregularity as regards compliance of imported organic products with the requirements laid down in that Regulation or this Regulation, it shall investigate the origin of the suspected irregularity or infringement and shall inform the [^{F149}Secretary of State] of the result of the investigation and of the action taken. That information shall be sent within 30 calendar days from the date of sending of the original notification ^{F150}....

^{F151} ...]

^{F1525}]

Textual Amendments

- F47** Inserted by Commission Implementing Regulation (EU) No 125/2013 of 13 February 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F72** Substituted by Commission Implementing Regulation (EU) No 1267/2011 of 6 December 2011 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries.
- F139** Words in Art. 15(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(a)(i)(aa)** (as substituted by S.I. 2020/1452, regs. 1(2)(b), 5(4)(k)); 2020 c. 1, Sch. 5 para. 1(1)
- F140** Words in Art. 15(1) inserted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(a)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

- F141** Words in Art. 15(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F142** Substituted by Commission Implementing Regulation (EU) No 125/2013 of 13 February 2013 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (Text with EEA relevance).
- F143** Words in Art. 15(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F144** Words in Art. 15(2) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F145** Words in Art. 15(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F146** Words in Art. 15(3) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F147** Words in Art. 15(3) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F148** Words in Art. 15(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F149** Words in Art. 15(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F150** Words in Art. 15(4) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F151** Words in Art. 15(4) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F152** Art. 15(5) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(19)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE IV

COMMON RULES

Article 16

Assessment of the requests and publication of the lists

1 The [^{F153}Secretary of State] shall examine the requests received in accordance with Articles 4, 8 and 11 ^{F154}....

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

In order to assist the [^{F155}Secretary of State] with the examination of the requests and with the management and review of the lists, the [^{F156}Secretary of State may] set up an expert group consisting of governmental and private experts.

^{F157}2

^{F157}3

^{F157}4

Textual Amendments

- F153** Words in Art. 16(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(20)(a)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F154** Words in Art. 16(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(20)(a)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F155** Words in Art. 16(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(20)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F156** Words in Art. 16(1) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(20)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F157** Art. 16(2)-(4) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(20)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 17

Communication

1 When transmitting documents or other information referred to in Articles 32 and 33 of Regulation (EC) No 834/2007 and in this Regulation ^{F158}..., the competent authorities of third countries, the control authorities or the control bodies shall use electronic transmission. When specific electronic transmission systems are made available ^{F159}..., they shall use these systems. ^{F160}...

2 For the form and content of documents and information referred to in Articles 32 and 33 of Regulation (EC) No 834/2007 and in this Regulation, the [^{F161}Secretary of State] shall set out guidelines, models and questionnaires where appropriate and make them available in the computer system referred to in paragraph 1 of this Article. These guidelines, models and questionnaires shall be adapted and updated by the [^{F162}Secretary of State], after having informed the [^{F163}appropriate authorities], as well as the control authorities and control bodies recognised in accordance with this Regulation.

^{F13} The computer system provided for in paragraph 1 shall be able to collect the requests, documents and information referred to in this Regulation where appropriate.]

4 The supporting documents referred to in Articles 32 and 33 of Regulation (EC) No 834/2007 and in this Regulation, in particular in Articles 4, 8 and 11, shall be kept by the competent authorities of third countries, the control authorities or the control bodies at the

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

disposal of the [^{F164}Secretary of State] for at least three years following the year in which the controls took place or the certificates of inspection and documentary evidence were delivered.

5 Where a document or procedure provided for in Articles 32 and 33 of Regulation (EC) No 834/2007 or in the detailed rules for its application requires the signature of an authorised person or the approval of a person at one or more of the stages of that procedure, the computer systems set up for the communication of those documents must make it possible to identify each person unambiguously and provide reasonable assurance that the contents of the documents, including as regards the stages of the procedure, cannot be altered, ^{F165}....

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance).
- F158** Words in Art. 17(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F159** Words in Art. 17(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F160** Words in Art. 17(1) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F161** Words in Art. 17(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F162** Words in Art. 17(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F163** Words in Art. 17(2) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F164** Words in Art. 17(4) substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F165** Words in Art. 17(5) omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), **4(21)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F166}Article 17a

Regulations

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Textual Amendments

F166 Art. 17a omitted (13.11.2021) by virtue of [The Organics \(Equivalence and Control Bodies Listing\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1266), regs. 1, **4(14)**

F167 TITLE V

FINAL AND TRANSITIONAL RULES

Article 18

Transitional rules on the list of third countries

.....

Article 19

Transitional rules on equivalent import of products not originating in listed third countries

.....

Article 19a

Transitional rules on the use of certificates of inspection not issued in TRACES

.....

Article 20

Repeal

.....

Article 21

Entry into force

.....

Textual Amendments

F167 Title 5 omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), **4(23)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)*

Textual Amendments

F168 Words in [Signature](#) omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(24)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

F169 ANNEX I

LIST OF CONTROL BODIES AND CONTROL AUTHORITIES FOR THE PURPOSE OF COMPLIANCE AND RELEVANT SPECIFICATIONS REFERRED TO IN ARTICLE 3

Textual Amendments

F169 Annex 1 omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, **4(15)**

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

ANNEX II

MODEL OF THE DOCUMENTARY EVIDENCE

referred to in Article 6(1)

Documentary evidence to the operator according to Articles 32(1)(c) and 29(1) of Regulation (EC) No 834/2007, required for import of compliant products in accordance with Article 6 of Regulation (EC) No 1235/2008	
1. Document number:	
2. Name and address of operator: main activity (producer, processor, importer, etc.):	3. Name, address and code number of control body/authority:
4. Product groups/activity: — Plant and plant products: — Livestock and livestock products: — Processed products:	5. defined as: organic production, in-conversion products, and also non-organic production, where parallel production/processing pursuant to Article 11 of Regulation (EC) No 834/2007 occurs
6. Validity period: Plant products from ... to ... Livestock products from ... to ... Processed products from ... to ...	7. Date of control(s):
8. This document has been issued in accordance with Articles 32(1)(c) and 29(1) of Regulation (EC) No 834/2007 and Article 6 of Regulation (EC) No 1235/2008. The declared operator has submitted his activities under control, and meets the requirements laid down in the named Regulations. Date, place: Signature on behalf of the issuing control body/authority:	

F170 ANNEX III

Textual Amendments

F170 Annex 3 omitted (13.11.2021) by virtue of [The Organics \(Equivalence and Control Bodies Listing\) \(Amendment\) Regulations 2021 \(S.I. 2021/1266\)](#), regs. 1, **4(15)**

*Status: Point in time view as at 01/07/2022.**Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)*F¹⁷¹ ANNEX IV**Textual Amendments**

F¹⁷¹ Annex 4 omitted (13.11.2021) by virtue of The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021 (S.I. 2021/1266), regs. 1, 4(15)

[F¹ ANNEX V

CERTIFICATE OF INSPECTION

FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO [F¹⁷² GREAT BRITAIN]

1. Issuing control body or authority (name, address and code)	[F ¹⁷³ 2. Council Regulation (EC) No 834/2007, as it has effect in Great Britain: - Article 33(2) # or - Article 33(3) # Council Regulation (EC) No 834/2007, as it has effect in the European Union: - Article 33(2) # or - Article 33(3) #]
3. Serial number of the certificate of inspection	4. Exporter (name and address)
5. Producer or processor of the product (name and address)	6. Control body or control authority (name, address and code)
7. Country of origin	8. Country of export
9. Country of clearance/Point of entry	10. Country of destination
11. Importer (name, address and EORI number)	12. First consignee in the Union (name and address)
13. Description of products CN code Trade name Number of packages Lot number Net weight	

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*Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 1235/2008. (See end of Document for details)*

14. Container number	15. Seal number	16. Total gross weight
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17. Means of transport before point of entry into the Union
Mode

Identification

International transport document

18. Declaration of control authority or control body issuing the certificate referred to in box
1

This is to certify that this certificate has been issued on the basis of the checks required
under Article 13(4) of Regulation (EC) No 1235/2008 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 Regulation
(EC) No 834/2007.

Date

Name and signature of authorised person
body

Stamp of issuing authority or
body

19. Customs warehousing

Inward processing

Name and address of operator:

Control body or control authority (name, address and code):

Customs Declaration Reference Number for customs warehousing or inward processing:

20. Verification of the consignment and endorsement by the relevant Member State's
competent authority.

Authority and Member State:

Date:

Name and signature of authorised person

Stamp

21. Declaration of the first consignee.

This is to certify that the reception of the products has been carried out in accordance with
Article 34 of Regulation (EC) No 889/2008.

Name of the company:

Date:

Name and signature of the authorised person

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Textual Amendments

- F172** Words in Annex 5 heading substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(a)** (as amended by [S.I. 2020/1452](#), regs. 1(2)(b), 5(4)(1)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F173** Words in Annex 5 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(b)** (as amended by [S.I. 2020/1452](#), regs. 1(2)(b), **5(4)(1)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Notes

Box 1: Name, address and code of control body or authority in the third country as referred to in Article 13(3) of Regulation (EC) No 1235/2008. This body also completes boxes 4 to 18.

Box 2: This box indicates the provisions of Regulation (EC) No 834/2007 [^{F174}, as it has effect in Great Britain or Regulation (EC) No 834/2007, as it has effect in the European Union,] which are relevant for the issue and use of this certificate; indicate the relevant provision.

Textual Amendments

- F174** Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(i)** (as amended by [S.I. 2020/1452](#), regs. 1(2)(b), 5(4)(1)(iii)); 2020 c. 1, Sch. 5 para. 1(1)

Box 3: Serial number of the certificate automatically assigned by [^{F175}Great Britain's import control system] referred to in Article 13(2) of Regulation (EC) No 1235/2008, except where Article 13a(3) applies.

Textual Amendments

- F175** Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(ii)** (as amended by [S.I. 2020/1452](#), regs. 1(2)(b), 5(4)(1)(iv)); 2020 c. 1, Sch. 5 para. 1(1)

Box 4: Name and address of the operator exporting the products from the country mentioned in box 8. The exporter is the operator performing the last operation for the purposes of preparation as defined in Article 2(i) of Regulation (EC) No 834/2007 [^{F176}, as it has effect in Great Britain, or Article 2(i) of Regulation (EC) No 834/2007, as it has effect in the European Union,] on the products mentioned in box 13 and sealing the products in appropriate packaging or containers, pursuant to Article 34 of Regulation (EC) No 889/2008 [^{F177}, as it has effect in Great Britain or Article 34 of Regulation (EC) 889/2008, as it has effect in the European Union.]

Textual Amendments

- F176** Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(iii)(aa)** (as amended by [S.I. 2020/1452](#), regs. 1(2)(b), 5(4)(1)(v)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

F177 Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(iii)(bb)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(l)(v)); 2020 c. 1, Sch. 5 para. 1(1)

Box 5: Operator(s) who produced or processed the products in the third country mentioned in box 7.

Box 6: Control body(ies) or authority(ies) for monitoring compliance of the production or processing of the products with the rules of organic production in the country mentioned in box 7.

Box 7: Country of origin means the country(ies) where the product has been produced/grown or processed.

Box 8: Country of export means the country where the product has been subject to the last operation for the purposes of preparation as defined in Article 2(i) of Regulation (EC) No 834/2007 [^{F178}, as it has effect in Great Britain, or Article 2(i) of Regulation (EC) No 834/2007, as it has effect in the European Union,] and sealed in appropriate packaging or containers.

Textual Amendments

F178 Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(iv)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(l)(vi)); 2020 c. 1, Sch. 5 para. 1(1)

Box 9: Country of clearance means [^{F179}Great Britain].

Textual Amendments

F179 Words in Annex 5 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(v)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(l)(vii)); 2020 c. 1, Sch. 5 para. 1(1)

Box 10: Country of destination means [^{F180}Great Britain].

Textual Amendments

F180 Words in Annex 5 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(vi)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(l)(viii)); 2020 c. 1, Sch. 5 para. 1(1)

Box 11: Name, address and the Economic Operators Registration and Identification number (EORI), as set out in Article 9 of Regulation (EU) No 952/2013, of the importer. The importer shall mean the natural or legal person within [^{F181}Great Britain] who presents the consignment for release for free circulation ^{F182}... , either on its own, or through a representative.

Textual Amendments

F181 Words in Annex 5 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(26)(c)(vii)(aa)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(l)(ix)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

F182 Words in Annex 5 omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(26)(c)(vii)(bb); 2020 c. 1, Sch. 5 para. 1(1)

Box 12: Name and address of the first consignee of the consignment in [^{F183}Great Britain]. 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 24.

Textual Amendments

F183 Words in Annex 5 substituted (31.12.2020) by The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(26)(c)(viii) (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(1)(x)); 2020 c. 1, Sch. 5 para. 1(1)

Box 13: Description of products that includes Combined Nomenclature codes for the products concerned (8-digit level where possible), trade name, number of packages (number of boxes, cartons, bags, buckets, etc.), lot number and net weight.

Box 14: Optional

Box 15: Optional

Box 16: Total gross weight expressed in appropriate units (kg of net mass, litre, etc.).

Box 17: Means of transport arriving at the point of entry.

Mode of transport: aeroplane, vessel, railways, road vehicle, other.

Identification of the means of transport: for aeroplane the flight number, for vessels the ship name(s), for railways the train identity and wagon number, for road transports the registration number plate with trailer number plate if appropriate.

In the case of ferry, indicate vessel and road vehicle with the identification of the road vehicle and of the scheduled ferry.

Box 18: Declaration of control authority or control body issuing the certificate. The signature and the stamp must be in a colour different to that of the printing.

Box 19: Shall be filled in by the ^{F184}... competent authority or by the importer.

Textual Amendments

F184 Words in Annex 5 omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(26)(c)(ix); 2020 c. 1, Sch. 5 para. 1(1)

Box 20: Shall be completed by the ^{F185}... competent authority, if appropriate, before the preparation or splitting operation in the circumstances referred to in Article 14 of Regulation (EC) No 1235/2008 and at the verification of the consignment in accordance with Article 13(1).

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Textual Amendments

F185 Words in Annex 5 omitted (31.12.2020) by virtue of The Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/692), regs. 1(2), 4(26)(c)(x); 2020 c. 1, Sch. 5 para. 1(1)

Box 21: Shall be filled in by the first consignee at the reception of the products, when he has carried out the checks provided for in Article 34 of Regulation (EC) No 889/2008.]

[^{F1}ANNEX VI

EXTRACT NO ... OF THE CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO [^{F186}GREAT BRITAIN]

1. Control body or authority having issued the underlying certificate of inspection (name, address and code)	[^{F187} 2. Council Regulation (EC) No 834/2007, as it has effect in Great Britain: - Article 33(2) # or - Article 33(3) # Council Regulation (EC) No 834/2007, as it has effect in the European Union: - Article 33(2) # or - Article 33(3) #]
3. Serial number of the underlying certificate of inspection	4. Operator having split the original consignment into batches (name and address)
5. Control body or control authority (name, address and code)	6. Importer (name, address and EORI number)
7. Country of origin	8. Country of export
9. Country of clearance/Point of entry	10. Country of destination
11. Consignee of the batch obtained from splitting (name and address)	
12. Description of products CN codes Number of packages Net weight of the batch and net weight of the original consignment	

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

13. Declaration of the relevant Member State's competent authority endorsing the extract of the certificate.

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

Authority and Member State:

Date:

Name and signature of authorised person Stamp

14. Declaration of the consignee of the batch

This is to certify that the reception of the batch has been carried out in accordance with Article 33 of Regulation (EC) No 889/2008.

Name of the company

Date:

Name and signature of the authorised person

Textual Amendments

F186 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(27)(a)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(i)); 2020 c. 1, Sch. 5 para. 1(1)

F187 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(27)(b)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(ii)); 2020 c. 1, Sch. 5 para. 1(1)

Notes

Extract No: The extract number corresponds to the number of the batch obtained from the splitting of the original consignment.

Box 1: Name, address and code of control body or authority in the third country having issued the underlying certificate of inspection.

Box 2: This box indicates the provisions of Regulation (EC) No 834/2007 [^{F188}, as it has effect in Great Britain or Regulation (EC) No 834/2007, as it has effect in the European Union,] which are relevant for the issue and use of this extract; indicate the relevant provision under which the underlying consignment was imported, see box 2 of the underlying certificate of inspection.

Textual Amendments

F188 Words in Annex 6 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **4(27)(c)(i)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(iii)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

Box 3: Serial number of the underlying certificate automatically assigned by [^{F189}Great Britain's import control system] referred to in Article 13(2) of Regulation (EC) No 1235/2008, except where Article 13a(3) applies.

Textual Amendments

F189 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), **4(27)(c)(ii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(iv)); 2020 c. 1, Sch. 5 para. 1(1)

Box 4: Operator that physically splits the original consignment into batches or the operator responsible for that operation.

Box 5: Control body or authority in charge of controlling the operator having split the consignment.

Boxes 6, 7 and 8: See relevant information on the underlying certificate of inspection.

Box 9: Country of clearance means [^{F190}Great Britain].

Textual Amendments

F190 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), **4(27)(c)(iii)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(v)); 2020 c. 1, Sch. 5 para. 1(1)

Box 10: Country of destination means [^{F191}Great Britain].

Textual Amendments

F191 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), **4(27)(c)(iv)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(vi)); 2020 c. 1, Sch. 5 para. 1(1)

Box 11: Consignee of the batch (obtained from the splitting) in [^{F192}Great Britain].

Textual Amendments

F192 Words in Annex 6 substituted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), **4(27)(c)(v)** (as amended by S.I. 2020/1452, regs. 1(2)(b), 5(4)(m)(vii)); 2020 c. 1, Sch. 5 para. 1(1)

Box 12: Description of products that includes Combined Nomenclature codes for the products concerned (8-digit level where possible), number of packages (number of boxes, cartons, bags, buckets, etc.) and net weight expressed in appropriate units (kg of net mass, litre, etc.) and the net weight indicated in box 13 of the underlying certificate of inspection.

Box 13: Shall be completed by the ^{F193}... competent authority for each of the batches resulting from the splitting operation referred to in Article 14(2) of Regulation (EC) No 1235/2008.

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008. (See end of Document for details)

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Textual Amendments

F193 Words in [Annex 6](#) omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), [4\(27\)\(c\)\(vi\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Box 14: Shall be filled in at the reception of the batch, when the consignee has carried out the checks provided for in Article 33 of Regulation (EC) No 889/2008.]

F194 ANNEX VII

.....

Textual Amendments

F194 Annex 7 omitted (31.12.2020) by virtue of [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/692), regs. 1(2), [4\(28\)](#); 2020 c. 1, Sch. 5 para. 1(1)

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Status: Point in time view as at 01/07/2022.

*Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 1235/2008. (See end of Document for details)*

- (1) [OJ L 189, 20.7.2007, p. 1.](#)
- (2) [OJ L 108, 18.4.2008, p. 8.](#)
- (3) [OJ L 114, 30.4.2002, p. 132.](#)
- (4) [OJ L 114, 30.4.2002, p. 1.](#)
- (5) [OJ L 166, 27.6.2008, p. 3.](#)
- (6) [OJ L 250, 18.9.2008, p. 1.](#)
- (7) [^{F1}Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ([OJ L 165, 30.4.2004, p. 1.](#))]
- (8) [^{F6}Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([OJ L 354, 28.12.2013, p. 22.](#))]
- (9) [^{F6}Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ([OJ L 139, 30.4.2004, p. 1.](#))]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2016/1842 of 14 October 2016 amending Regulation \(EC\) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation \(EC\) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information \(Text with EEA relevance\).](#)
- F6** Inserted by [Commission Implementing Regulation \(EU\) 2016/1842 of 14 October 2016 amending Regulation \(EC\) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation \(EC\) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information \(Text with EEA relevance\).](#)

Status:

Point in time view as at 01/07/2022.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 1235/2008.