

Transitional provisions for certificates of inspection issued in Ukraine

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This Commission Delegated Regulation amends [Delegated Regulation \(EU\) 2021/2306](#) in order to provide for exceptional measures to derogate from certain provisions concerning certificates of inspection issued in Ukraine.

Background

Commission Delegated Regulation (EU) 2021/2306 lays down rules on the official controls in respect of organic products and in-conversion products intended for import into the Union and on the certificate of inspection.

In accordance with the said Regulation, the certificate of inspection (COI) is to be issued in TRACES and is to bear a qualified electronic seal. However, a transitional provision provides that, by way of derogation from Article 5(3), first subparagraph, of that Regulation, until 30 June 2022, the certificate of inspection may be issued on paper after being completed in TRACES and printed.

Russia's invasion of Ukraine on 24 February 2022 constitutes an exceptional and unprecedented challenge for the control authorities and control bodies that have been recognised for the purpose of the export of organic products from Ukraine to the Union.

Thus, an authorised person located in Ukraine of a control authority or a control body that is not yet equipped with a qualified electronic seal cannot issue electronic certificates of inspection in accordance with Delegated Regulation (EU) 2021/2306. On the other hand, that authorised person cannot make use of the possibility to issue the certificate of inspection on paper, in accordance with the transitional provision of that Regulation either, given that the postal services in Ukraine are currently disrupted.

Delegated Regulation (EU) 2021/2306 should therefore be amended.

Content

In order to ensure that organic products leaving Ukraine can continue to be exported to the Union, this delegated act:

- authorises, until 30 June 2022, Ukrainian inspection authorities and bodies to produce and submit the certificate of inspection in TRACES in electronic format without an electronic seal in box 18 of that certificate;
- allows the competent authorities in the Member States at border control posts or points of release for free circulation to carry out import controls on such certificates of inspection and to endorse them in TRACES with a qualified electronic seal or on paper with the hand signature of the authorised person after being completed in TRACES and printed.

This provision will apply retroactively from 24 February 2022 as Ukrainian postal services have been disrupted since that date.