Organic food and farming: imports of organic products from third countries (amend. Regulation (EEC) No 2092/91)

2005/0279(CNS) - 21/12/2006 - Final act

PURPOSE: to amend Regulation 2092/91/EEC on organic production of agricultural products so as to allow a replacement of the current import scheme by a new import scheme.

LEGISLATIVE ACT: Council Regulation (EC) No 1991/2006 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.

CONTENT : the Council adopted a regulation introducing interim import rules pending application of the new legislation on organic products, as certain import provisions of the current legislation expire on 31December 2006.

In order not to disrupt international trade, the Regulation will extend the possibility for Member States to grant import authorisations for individual products until the new regime has been put in place. The Regulation also includes new rules on imports (‘direct access’ and ‘equivalency’), in the same form as in a proposal on the labelling of organic products. (Please see CNS/2005/0278.)

Council Regulation 2092/91/EC will be repealed on 1 January 2009 and replaced by new Council Regulation on organic production and labelling of organic products. Under the new scheme established by the new Regulation for imports of organic produce from third countries, organic products imported into the Community will be allowed to be placed on the Community market labelled as organic, where they have been produced in accordance with production rules and subject to control arrangements that are in compliance with or equivalent to Community legislation. The equivalency assessments for the purpose of import will be based on the international standard (Codex Alimentarius) or on the Community regulation.

To this end, third countries whose production standards and control arrangements are equivalent to those applied in the Community will be recognised and a list published. The control bodies competent to carry out control in countries which are not on the list of recognised third countries will also be recognised and listed. Third country operators who produce in direct compliance with Community rules will be allowed to choose to submit their activities to the competent authorities and control bodies designated by the Member States.

Article 11 of Regulation 2092/91/EEC provides for the possibility for Member States to grant until 31 December 2006 import authorisations for individual products under certain conditions. This Regulation deals with amending that Article, so as to allow for a replacement of the current import scheme by the new import scheme as from that date. The new import scheme should thus apply as from 1 January 2007. However, this will leave little time for its implementation, in particular as regards the recognition of control bodies competent to carry out control in those countries which are not on the list of recognised third countries. In order not to disrupt international trade, the Regulation extends the possibility for Member States to continue to grant import authorisations for individual products until the measures necessary for the functioning of the new import scheme have been put in place.

ENTRY INTO FORCE: 09/02/2007.

APPLICATION : 01/01/2007.