

# The EU import rules

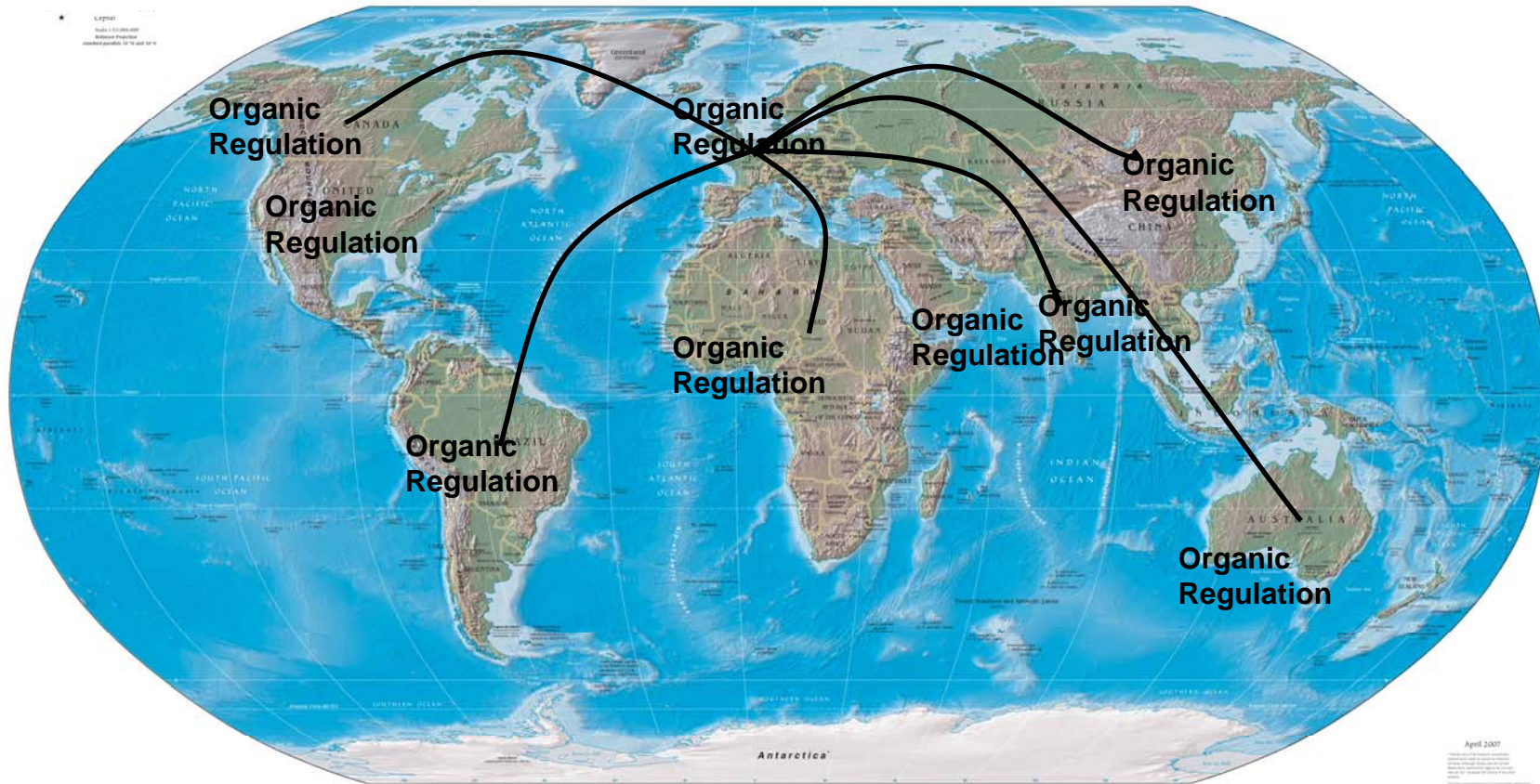
## A move towards more harmonization?

➤ Beate Huber

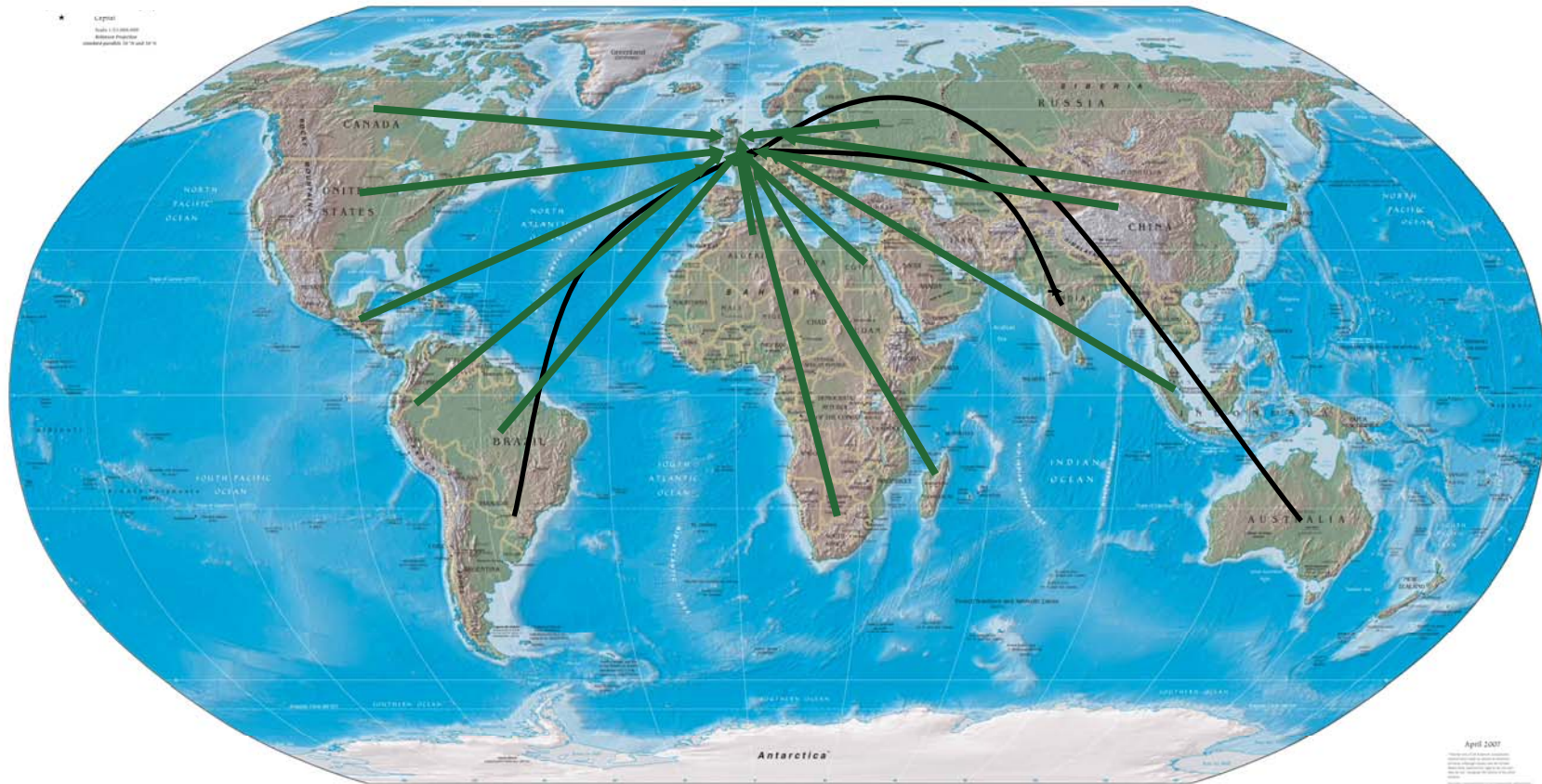
# Initial concept:

Presented at BioFach Congress 2009, Nuremburg, February 19-22, 2009

# country to country recognition based on equivalency



# Reality: Majority of import with import permits



# EU import permits since 2008

Presented at Board of Directors, 2009, Nuremberg, February 11-12, 2009

## (selected countries)

	<b>Import permits total</b>	<b>Import permits based on local CB's</b>	<b>Share of local certification</b>
<b>Brazil</b>	<b>146</b>	<b>77</b>	<b>52 %</b>
<b>China</b>	<b>315</b>	<b>0</b>	<b>0 %</b>
<b>Ecuador</b>	<b>77</b>	<b>2</b>	<b>0,03 %</b>
<b>Japan</b>	<b>25</b>	<b>0</b>	<b>0 %</b>
<b>Peru</b>	<b>182</b>	<b>39</b>	<b>21 %</b>
<b>Tunesia</b>	<b>70</b>	<b>0</b>	<b>0 %</b>
<b>World</b>	<b>2729</b>	<b>?</b>	<b>?</b>

Presented at the FiBL Congress 2009 in Mülheim, February 19-22, 2009

# Assessment of current EU import scheme in regard to harmonization

- Preferences European based certification bodies
- In-transparent procedures
- Decided by 25 members states which hardly communicate among each other on assessment procedures

# Assessment of new import scheme on its impacts on harmonization

# 1) Equivalency and compliance

- ☺ **Equivalence procedure is maintained and stressed**
  - ☺ **Systematic assessment of equivalence with EU standards has to be provided in assessment report**
  - ☺ **Result of equivalence assessment should be made public by Assessment Body**
  - ☹ **Assessment is delegated to external bodies (usually accreditation bodies) where guidance or exchange is needed**

# 1) Equivalency and compliance

- ☹ **Compliance procedure will be introduced which contradicts harmonization efforts**
- ☹ **No accompanying certificates are required (less bureaucracy for traders)**



## 2.) Guidelines for equivalence assessment

- ☺ **Guidelines for equivalence assessment are provided by Commission**
- ☺ **Reference to Codex Alimentarius in EU Reg. 834/2007**
- ☺ **Reference to international tools for harmonization in guidelines, e.g.**
  - ☺ **UNCTAC, FAO, IFAOM 2008: International Requirements for Organic Certification Bodies (IROCB),**
  - ☺ **Codex Alimentarius Guidelines CAC/GL 34: „Guidelines for the Development of Equivalence Agreements..“**
  - ☺ **UNCTAC, FAO, IFAOM 2008: „Guide for assessing equivalence or organic standards...“**
  - ☹ **References are only in guidelines and not legally binding**

# 3. Guideline for the notification to a third country authority

- ☺ **Certification bodies have to send letters to authorities in all Third Country where they are operating with information on their activities**
- ☺ **Declaration requested that legal requirements in these countries are respected**

## 4. Assessment Bodies

- **Assessment reports can be written by:**
  - **Competent authority**
  - **National accreditation body with competence in organic agriculture**
  - **International supervisory body specialised in organic agriculture**
- ☺ **Recognition of an internationally operating body (IOAS)**
- ☺ **Option for accreditation bodies to provide „one stop shops“ (e.g. ISO 65, EU, CAN – IOAS, DAP)**

# 5. Definition of Objectives and Principles in EU Reg. 834/2007

- **Definition Equivalence: „... capable of meeting the same objectives and principles“**
- ☺ **Locally adapted standards can be elaborated taking into account EU objectives and principles**

# Conclusions

- **An import step towards more harmonization**
  - **Stressing equivalence**
  - **More guidance on equivalence assessment**
  - **references to equivalency tools**
  
- **Effectiveness depends on implementation and enforcement**
  - **Standardsetters and certification body have to use the created leeway**
  - **Sufficient capacities for coordination, guidance and surveillance are needed**

# Thank you very much