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B.4. Organics

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Guidelines on additional official controls on products originating from China

Applicable from 01/01/2021 until 31/12/2021

This document has been conceived as a working document of the Commission Services. It has been elaborated in co-operation with the Member States. It does not intend to produce legally binding effects and by its nature it does not prejudice any measure taken by the Commission or by a Member State within the implementation prerogatives under Article 32 and 33 of Council Regulation (EC) No 834/2007 and of Commission Regulation (EC) No 1235/2008, nor any case law developed with regard to these provisions.

**GUIDELINES ON ADDITIONAL OFFICIAL CONTROLS ON PRODUCTS
ORIGINATING FROM CHINA**

Applicable from 01/01/2021 until 31/12/2021

The Competent Authorities¹ of all Member States undertake to ensure that the control measures described in these guidelines are carried out on all consignments of organic food and feed originating from China with the following CN-codes:

- a. Chapter 10 – Cereals
- b. Chapter 11 – Products of the milling industry; malt; starches; inulin; wheat gluten. The following CN codes are excluded: CN codes 1105, 1106, 1107, 1108, 1109
- c. Chapter 12 – Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder, with the exception of processed products ready for human consumption derived from them. The following CN codes are excluded: CN codes 1211, 1212, 1213, 1214
- d. Chapter 23 – Residues and waste from the food industries, prepared animal fodder. The following CN codes are excluded: CN codes 2307

as well as on the following product:
- e. CN code 0810 9075 – only Goji berries (*Lycium barbarum* and *Lycium chinense*) and products processed from them.

Consignments originating from China arriving at the EU border from another third country shall also be concerned by these guidelines.

(1) TRACKING AND IDENTIFICATION OF ALL CONSIGNMENTS OF IMPORTED FOOD AND FEED

The Competent Authorities shall track and identify all consignments of food and feed defined above.

Moreover, as set out in the first subparagraph of Article 84 of Regulation 889/2008, the importer shall in due time inform the control body or control authority of each consignment to be imported into the European Union.

¹ The authorities designated pursuant to Art. 27(1) of Regulation (EC) No 834/2007

(2) COMPLETE DOCUMENTATION CHECK AT POINT OF ENTRY

The complete documentation of these consignments shall be verified systematically:

- a. Certificate of inspection
- b. Documents of custom declaration
- c. Transport documents
- d. Operators and product traceability: verification of names, addresses and valid certification of each operator involved, from farmer(s) to exporter and all operators in between, including traders and sub-contractors.

(3) SAMPLING AND ANALYSING FOR PRESENCE OF PESTICIDE RESIDUES² EACH INCOMING CONSIGNMENT AT POINT OF ENTRY

At least 1 representative sample shall be taken of each of these consignments at the point of entry in the EU. Sampling shall be done by using the methods as described in Commission Regulation (EU) No 691/2013 on the sampling methods to be used for official control of feed and Commission Directive 2002/63/EC establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin.

Analysis of these samples for the presence of pesticide residues shall be conducted in a laboratory accredited to the analytical methods used. The analytical methods to be used should cover all the relevant pesticides, as defined by expert knowledge.

The sampling report of each sample must contain the identification of the consignment: lot number and, number of the Certificate of Inspection.

When pesticide residues or other irregularities are detected, an investigation shall be started and a notification in the Commission's Organic Farming Information System (OFIS) shall be made.

Due to COVID-19 pandemic the implementation of certain measures set out in these guidelines may be hampered in some Member States. Therefore, if a Member State is not able to fulfil them, the guidelines can be partially suspended when it comes to 100% sampling. However, complete documentary check at the point of entry should still be carried out. Sampling should be carried out to the extent possible. Once the COVID-19 related restrictions have been lifted, Member States should as before carry out all the measures regulated in these guidelines.

² This excludes the products referred to in annex II of Commission Regulation (EC) No 899/2008, cf. article 5(1) on products that may be used in organic production.