



# **DA: Article 46(7)(b) (i) of Regulation (EU) 2018/848**

**Expert Group on Organic Farming  
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# Article 46(7)(b) (i) of Regulation (EU) 2018/848

- “**supplementing** this Regulation as regards:  
(i) the **exercise of the supervision** of the *CrtA*/CB recognised by the COM in accordance with **paragraph 1, including on-the-spot examinations...**”

# DA supplementing as regard the Supervision

*What is supervision?*

- *The supervision is determined **on the basis of an assessment of the risk of the occurrence of irregularities or infringements** of the provisions set out in this Regulation.( ex-article 33(3) third paragraph Reg 834/2007)*

# DA supplementing as regard the Supervision

- *The aim of supervision is **regularly reviewing the performance and recognition of CB /CrtA** ( ex-article 33,(1) & (3) of Reg 834/2007) :*
  - (i) proving that the CB /CrtA is satisfactorily **assessed on its ability to meet certain conditions to export products to the EU** (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 **compliance of the production rules and effectiveness of control measures**;

# DA supplementing as regard the Supervision: tools

1. *Annual Report*
2. *On-the-spot assessment*
3. *Traceability exercise and ad-hoc request of information*
4. *EC "catalogue of sanctions"*
  - Suspension of the delegation tasks to CB
  - Block of the COI
  - Withdrawal the CB

# Supervision tools: 1) Annual report

## *1. Timing:*

**a) By 28 February** every year CB/ CrtA send a concise annual report(AR) to the COM

## *2. Content of AR (ex-Art 11.3 and article 12 .1 (b) Reg.1235/2008 + new features)*

--Administrative data:

address, contact details, website address ((ex- Annex IV of Reg 11235/2008): **updated list of** operators with information on certification status, the product categories concerned, as well as the suspended and decertified operators and products.

# Supervision tools: 1) Annual report

## 2. Content of AR (ex-Art 11.3 and article 12 .1 (b) Reg.1235/2008 + new features)

- **Accreditation Body** details
- **Categories and TC recognised** for reporting period
- **Overview** of the activities of the CB/CrtA in the TC informing on which third countries where no activity is taking place
  - number of operators; nature and quantities of products and foodstuffs certified, shorted by categories and grouping by tariff codes;
  - information of group of operators: total number, members by group, average size of the farms of members, measures taken to the group.....
  - irregularities and infringements at the operators or group of operators and the corrective measures taken by Cb/CrtA and follow up of the non-conformities.
  - irregularities in OFIS and result of the investigation of the source of the irregularity

# Supervision tools: 1) Annual report

(continue) Content of AR (ex-Art 11.3 and article 12 .1 (b) Reg.1235/2008 + new features) / **Overview** of the activities of the CB/CrtA:

- General **procedures** as sampling procedures, control procedures, etc
- Number of obligatory, announce and announce inspections and samples, **keeping those obligation of inspection and sampling by TC**
- the type and rationale of **exceptions granted**
- *update information on **communication between CB** for swapping clients*
- special **reporting on transfer of operators** and additional controls in particular countries ukraine, Kazakhstan, Moldova, zetc
- a copy of the **assessment report from the accreditation body** containing the annual on-the-spot evaluation report of the head quarter and critical locations with a validity of maximum of **[5] years**. Update information and procedures of the CB with differences clearly highlighted.
- surveillance and multiannual reassessment of their activities in all the third countries where they maintain operations actively, assess of the internal procedures, management, quality of inspectors, information of trainings followed by staff and witness audit performed (fourth subparagraph of ex-Article 33(3) Regu.834/2007), reports for the new operations in third countries following scope extension,





# **DA supplementing as regard the Supervision.2) tools: On-the-spot assessment ( article 4 reg 1235/2008**

- 1. Audits and on-the-spot examinations carried out by the EC*
- 2. On-the spot examinations carried out by the accreditation body:*
  - 2 types:
    - As part of the information to be included in the Annual Report
    - Ad-hoc request from the EC
  - Minimum contents of the reports and aspects to be assessed

## **DA supplementing as regard the Supervision.3) tools:**

- 1. Audits and on-the-spot examinations carried out by the EC*
- 2. On-the spot examinations carried out by the accreditation body:*
  - 2 types:
    - As part of the information to be included in the Annual Report
    - Ad-hoc request from the EC
  - Minimum contents of the reports and aspects to be assessed

## **DA supplementing as regard the Supervision.3) tools: traceability exercise and ad-hoc requests of informatio**

- *Possibility for the EC to launch traceability exercise and ad-hoc requests of information.*
- *CB to provide all requested information within 15 days.*
- *EC can, in dully justified circumstances, give a shorter delay for providing the information*

# DA supplementing as regard the Supervision.4) EC “catalogue of sanctions”

1. Suspension of the delegation tasks to CB (Art 40.8 of Reg 848/2018):
  - Max period, and scope (full/partial) of suspension
  - Prohibition of COI meanwhile suspension
  - Prohibition from scope extension during suspension
  - Condition for lifting the suspension

# DA supplementing as regard the Supervision.4) EC “catalogue of sanctions”

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# **DA supplementing as regard the Supervision.4) EC “catalogue of sanctions”**

## **2. Block the CoI**

Possibility for the EC to block the certificate of inspection of products exported to the EU. For instance in the following cases:

- In the event of partial or fully suspension of the control delegation to the CB
- In the event of an investigation carried out by EC or MS on a given consignment

The embargo will last until the situation is clarified.

## **2. Withdrawal of recognition**

Conditions and procedures for withdrawal to be defined under Art. 46.7.(a) and 46.1 of Reg.848/2018