

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2259

of 15 December 2016

amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ⁽¹⁾, and in particular Article 33(2) and (3) and Article 38(d) thereof,

Whereas:

- (1) Annex III to Commission Regulation (EC) No 1235/2008 ⁽²⁾ sets out the list of third countries whose systems of production and control measures for organic production of agricultural products are recognised as equivalent to those laid down in Regulation (EC) No 834/2007.
- (2) The Republic of Korea informed the Commission that its competent authority has withdrawn the recognition of one control body and added three other control bodies to the list of recognised control bodies.
- (3) Annex IV to Regulation (EC) No 1235/2008 sets out the list of control authorities and control bodies competent to carry out controls and issue certificates in third countries for the purpose of equivalence.
- (4) The Commission has received and examined a request from 'A CERT European Organization for Certification S.A.' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise 'A CERT European Organization for Certification S.A.' for product categories A and D in respect of Albania, Azerbaijan, Bhutan, Belarus, Chile, China, the Dominican Republic, Ecuador, Egypt, Ethiopia, Grenada, Georgia, Indonesia, Iran, Jamaica, Jordan, Kenya, Kazakhstan, Lebanon, Morocco, Moldova, the former Yugoslav Republic of Macedonia, Papua New Guinea, the Philippines, Pakistan, Serbia, Russia, Rwanda, Saudi Arabia, Thailand, Turkey, Taiwan, Tanzania, Ukraine, Uganda and South Africa.
- (5) The Commission has received and examined a request from 'Bioagricert S.r.l.' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category A to Indonesia and Senegal and for product categories A and D to Albania and Bangladesh and to extend the scope of its recognition to product category E in respect of Albania and Thailand.

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (OJ L 334, 12.12.2008, p. 25).

- (6) 'Caucacert' has informed the Commission of an error in its corporate name which should be changed into 'Caucascert'.
- (7) The Commission has received and examined a request from 'CCPB Srl' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A, B, D, E and F to Georgia, Iran, Jordan and Saudi Arabia, for product category B to China, Iraq, Mali, the Philippines and Syria, for product category C to Morocco and Tunisia, for product category E to Tunisia and for product categories E and F to China, Egypt, Iraq, Lebanon, Morocco, Mali, the Philippines, San Marino, Syria, and Turkey.
- (8) The Commission has received and examined a request from 'CERES Certification of Environmental Standards GmbH' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A, B and D to Armenia, for product categories A and D to Belarus, Malawi, Sierra Leone, Somalia and Tajikistan and for product category B to Guatemala, Honduras, Nicaragua and El Salvador.
- (9) The Commission has received and examined a request from 'Control Union Certifications' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A, B, C, D, E and F to Burundi, Somalia and South Sudan, for product categories B and C to Angola, Belarus, Djibouti, Eritrea, Fiji, Liberia, Niger, Chad and Kosovo and for product categories B, C and D to the Democratic Republic of the Congo and Madagascar.
- (10) The Commission has received and examined a request from 'Ecocert SA' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category B to Mozambique and for product category C to Bangladesh, Chile, Hong Kong, Honduras, Peru and Vietnam.
- (11) Ecocert SA has informed the Commission that its subsidiary 'ECOCERT IMO Denetim ve Belgelendirme Ltd Şti' had ceased its certification activities in all third countries for which it was recognised. 'ECOCERT IMO Denetim ve Belgelendirme Ltd Şti' should therefore no longer be listed in Annex IV to Regulation (EC) No 1235/2008.
- (12) The Commission has received and examined a request from 'Ekoagros' to be included in the list in Annex IV to Regulation (EC) No 1235/2008. Based on the information received, the Commission has concluded that it is justified to recognise 'Ekoagros' for product category A in respect of Russia, for product categories A and B in respect of Belarus and Ukraine, for product categories A and D in respect of Tajikistan and for product categories A and F in respect of Kazakhstan.
- (13) The Commission has received and examined a request from 'Florida Certified Organic Growers and Consumers, Inc. (FOG), DBA as Quality Certification Services (QCS)' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Jamaica and Vietnam and for product category D to Ecuador.
- (14) The Commission has received and examined a request from 'IMOSwiss AG' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category A to the United Arab Emirates, for product categories A and D to Burundi, for product category B to Mexico and Peru and for product category C to Brunei, China, Hong Kong, Honduras, Madagascar and the United States. In addition, 'IMOSwiss AG' has informed the Commission that it has ceased its certification activities in Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan, Russia and Tajikistan. It should therefore no longer be listed for those countries in Annex IV to Regulation (EC) No 1235/2008.
- (15) The Commission has received and examined a request from 'Kiwa BCS Öko-Garantie GmbH' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Zambia, for product category B to Laos, Myanmar/Burma and Thailand, for product category C to Hong Kong, Indonesia and Sri Lanka and for product categories C and E to Bangladesh.

- (16) The Commission has received and examined a request from 'Mayacert' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category A to Colombia, the Dominican Republic and El Salvador, for product categories A and D to Belize and Peru and for product category B to Guatemala, Honduras and Nicaragua.
- (17) The Commission has received and examined a request from 'OneCert International PVT Ltd' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Bangladesh, China, Ghana, Cambodia, Laos, Myanmar/Burma, Oman, Russia and Saudi Arabia.
- (18) The Commission has received and examined a request from 'Oregon Tilth' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to product category E in respect of Mexico.
- (19) The Commission has received and examined a request from 'Organic Certifiers' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product categories A and D to Indonesia.
- (20) The Commission has received and examined a request from 'Organska Kontrola' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the scope of its recognition to product category B for all countries.
- (21) 'QC&I GmbH' has informed the Commission that it has ceased its certification activities in all third countries for which it was recognised. It should therefore no longer be listed in Annex IV to Regulation (EC) No 1235/2008.
- (22) The Commission has received and examined a request from 'Suolo e Salute srl' to amend its specifications. Based on the information received, the Commission has concluded that it is justified to extend the geographical scope of its recognition for product category A to the Dominican Republic and Egypt and to extend the scope of its recognition to product category D in respect of the Dominican Republic.
- (23) Any reference to Taiwan in Annex IV to Regulation (EC) No 1235/2008 should be understood as a reference to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.
- (24) Annexes III and IV to Regulation (EC) No 1235/2008 should therefore be amended accordingly.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Committee on organic production,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1235/2008 is amended as follows:

- (1) Annex III is amended in accordance with Annex I to this Regulation;
- (2) Annex IV is amended in accordance with Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 December 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

In Annex III to Regulation (EC) No 1235/2008, in the entry relating to the Republic of Korea, point 5 is amended as follows:

- (1) the row relating to code number KR-ORG-003 (Bookang tech) is deleted;
- (2) the following rows are added:

KR-ORG-013	Hansol Food, Agriculture, Fisher-Forest Certification Center	www.hansolnonglim.com
KR-ORG-021	ISC Agriculture development research institute	www.isc-cert.com
KR-ORG-022	Greenstar Agrifood Certification Center	www.그린스타.com'

ANNEX II

Annex IV to Regulation (EC) No 1235/2008 is amended as follows:

(1) after the entry relating to 'Abcert AG' the following new entry is inserted:

“A CERT European Organization for Certification S.A.”

1. Address: 2 Tilou street, 54638 Thessaloniki, Greece
2. Internet address: www.a-cert.org
3. Code numbers, third countries and product categories concerned:

Code number	Third country	Category of products					
		A	B	C	D	E	F
AL-BIO-171	Albania	x	—	—	x	—	—
AZ-BIO-171	Azerbaijan	x	—	—	x	—	—
BT-BIO-171	Bhutan	x	—	—	x	—	—
BY-BIO-171	Belarus	x	—	—	x	—	—
CL-BIO-171	Chile	x	—	—	x	—	—
CN-BIO-171	China	x	—	—	x	—	—
DO-BIO-171	Dominican Republic	x	—	—	x	—	—
EC-BIO-171	Ecuador	x	—	—	x	—	—
EG-BIO-171	Egypt	x	—	—	x	—	—
ET-BIO-171	Ethiopia	x	—	—	x	—	—
GD-BIO-171	Grenada	x	—	—	x	—	—
GE-BIO-171	Georgia	x	—	—	x	—	—
ID-BIO-171	Indonesia	x	—	—	x	—	—
IR-BIO-171	Iran	x	—	—	x	—	—
JM-BIO-171	Jamaica	x	—	—	x	—	—
JO-BIO-171	Jordan	x	—	—	x	—	—
KE-BIO-171	Kenya	x	—	—	x	—	—
KZ-BIO-171	Kazakhstan	x	—	—	x	—	—
LB-BIO-171	Lebanon	x	—	—	x	—	—

Code number	Third country	Category of products					
		A	B	C	D	E	F
MA-BIO-171	Morocco	x	—	—	x	—	—
MD-BIO-171	Moldova	x	—	—	x	—	—
MK-BIO-171	the former Yugoslav Republic of Macedonia	x	—	—	x	—	—
PG-BIO-171	Papua New Guinea	x	—	—	x	—	—
PH-BIO-171	Philippines	x	—	—	x	—	—
PK-BIO-171	Pakistan	x	—	—	x	—	—
RS-BIO-171	Serbia	x	—	—	x	—	—
RU-BIO-171	Russia	x	—	—	x	—	—
RW-BIO-171	Rwanda	x	—	—	x	—	—
SA-BIO-171	Saudi Arabia	x	—	—	x	—	—
TH-BIO-171	Thailand	x	—	—	x	—	—
TR-BIO-171	Turkey	x	—	—	x	—	—
TW-BIO-171	Taiwan	x	—	—	x	—	—
TZ-BIO-171	Tanzania	x	—	—	x	—	—
UA-BIO-171	Ukraine	x	—	—	x	—	—
UG-BIO-171	Uganda	x	—	—	x	—	—
ZA-BIO-171	South Africa	x	—	—	x	—	—

4. Exceptions: in-conversion products.

5. Duration of inclusion: until 30 June 2018.;

(2) in the entry relating to '**Bioagricert S.r.l.**', point 3 is amended as follows:

(a) the following rows are inserted in the order of the code numbers:

'AL-BIO-132	Albania	x	—	—	x	x	—
BD-BIO-132	Bangladesh	x	—	—	x	—	—
ID-BIO-132	Indonesia	x	—	—	—	—	—
SN-BIO-132	Senegal	x	—	—	—	—	—';

- (b) in the row concerning Thailand a cross is added in column E;
- (3) in the entry relating to '**Caucacert Ltd**', the title is replaced by '**Caucascert Ltd**';
- (4) in the entry relating to '**CCPB Srl**', point 3 is amended as follows:
- (a) the following rows are inserted in the order of the code numbers:

'GE-BIO-102	Georgia	x	x	—	x	x	x
IR-BIO-102	Iran	x	x	—	x	x	x
JO-BIO-102	Jordan	x	x	—	x	x	x
SA-BIO-102	Saudi Arabia	x	x	—	x	x	x';

- (b) in the rows concerning China, Iraq, Mali, Philippines and Syria, a cross is added in column B;
- (c) in the rows concerning Morocco and Tunisia, a cross is added in column C;
- (d) in the rows concerning Tunisia, a cross is added in column E;
- (e) in the rows concerning China, Egypt, Iraq, Lebanon, Morocco, Mali, Philippines, San Marino, Syria and Turkey, a cross is added in columns E and F;
- (5) in the entry relating to '**CERES Certification of Environmental Standards GmbH**', point 3 is amended as follows:
- (a) the following rows are inserted in the order of the code numbers:

'AM-BIO-140	Armenia	x	x	—	x	—	—
BY-BIO-140	Belarus	x	—	—	x	—	—
MW-BIO-140	Malawi	x	—	—	x	—	—
SL-BIO-140	Sierra Leone	x	—	—	x	—	—
SO-BIO-140	Somalia	x	—	—	x	—	—
TJ-BIO-140	Tajikistan	x	—	—	x	—	—';

- (b) in the rows concerning Guatemala, Honduras, Nicaragua and El Salvador a cross is added in column B;
- (6) in the entry relating to '**Control Union Certifications**', in point 3, the following rows are inserted in the order of the code numbers:

'AO-BIO-149	Angola	—	x	x	—	—	—
BI-BIO-149	Burundi	x	x	x	x	x	x
BY-BIO-149	Belarus	—	x	x	—	—	—
CD-BIO-149	Democratic Republic of Congo	—	x	x	x	—	—

DJ-BIO-149	Djibouti	—	x	x	—	—	—
ER-BIO-149	Eritrea	—	x	x	—	—	—
FJ-BIO-149	Fiji	—	x	x	—	—	—
LR-BIO-149	Liberia	—	x	x	—	—	—
MG-BIO-149	Madagascar	—	x	x	x	—	—
NE-BIO-149	Niger	—	x	x	—	—	—
SO-BIO-149	Somalia	x	x	x	x	x	x
SS-BIO-149	South Sudan	x	x	x	x	x	x
TD-BIO-149	Chad	—	x	x	—	—	—
XK-BIO-149	Kosovo (**)	—	x	x	—	—	—

(**) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.;

- (7) in the entry relating to '**Ecocert SA**', point 3 is amended as follows:
- (a) in the row concerning Mozambique, a cross is added in column B;
- (b) in the rows concerning Bangladesh, Chile, Hong Kong, Honduras, Peru and Vietnam, a cross is added in column C;
- (8) the entire entry relating to '**ECOCERT IMO Denetim ve Belgelendirme Ltd Şti**' is deleted;
- (9) after the entry relating to '**Egyptian Center of Organic Agriculture (ECO A)**', the following new entry is inserted:

“Ekoagros”

- Address: K. Donelaičio g. 33, 44240 Kaunas, Lithuania
- Internet address: <http://www.ekoagros.lt>
- Code numbers, third countries and product categories concerned:

Code number	Third country	Category of products					
		A	B	C	D	E	F
BY-BIO-170	Belarus	x	x	—	—	—	—
KZ-BIO-170	Kazakhstan	x	—	—	—	—	x
RU-BIO-170	Russia	x	—	—	—	—	—
TJ-BIO-170	Tajikistan	x	—	—	x	—	—
UA-BIO-170	Ukraine	x	x	—	—	—	—

4. Exceptions: in-conversion products and wine.

5. Duration of inclusion: until 30 June 2018.;

(10) in the entry relating to '**Florida Certified Organic Growers and Consumers, Inc. (FOG), DBA as Quality Certification Services (QCS)**', point 3 is amended as follows:

(a) the following rows are inserted in the order of the code numbers:

JM-BIO-144	Jamaica	x	—	—	x	—	—
VN-BIO-144	Vietnam	x	—	—	x	—	—;

(b) in the row concerning Ecuador, a cross is added in column D;

(11) in the entry relating to '**IMOswiss AG**', point 3 is amended as follows:

(a) the following rows are inserted in the order of the code numbers:

BI-BIO-143	Burundi	x	—	—	x	—	—
BN-BIO-143	Brunei	—	—	x	—	—	—
CN-BIO-143	China	—	—	x	—	—	—
HK-BIO-143	Hong Kong	—	—	x	—	—	—
MG-BIO-143	Madagascar	—	—	x	—	—	—
US-BIO-143	United States	—	—	x	—	—	—;

(b) in the row concerning United Arab Emirates, a cross is added in column A;

(c) in the row concerning Honduras, a cross is added in column C;

(d) in the rows concerning Mexico and Peru, a cross is added in column B;

(e) the rows concerning Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan, Russia and Tajikistan are deleted;

(12) in the entry relating to '**Kiwa BCS Öko-Garantie GmbH**', point 3 is amended as follows:

(a) the following row is inserted in the order of the code numbers:

ZM-BIO-141	Zambia	x	—	—	x	—	—;
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(b) in the row concerning Bangladesh, a cross is added in columns C and E;

(c) in the rows concerning Hong Kong, Indonesia and Sri Lanka, a cross is added in column C;

(d) in the rows concerning Laos, Myanmar/Burma and Thailand, a cross is added in column B;

(13) in the entry relating to '**Mayacert**', point 3 is amended as follows:

(a) the following rows are inserted in the order of the code numbers:

'BZ-BIO-169	Belize	x	—	—	x	—	—
PE-BIO-169	Peru	x	—	—	x	—	—';

(b) in the rows concerning Colombia, Dominican Republic and El Salvador, a cross is added in column A;

(c) in the rows concerning Guatemala, Honduras and Nicaragua, a cross is added in column B;

(14) in the entry relating to '**OneCert International PVT Ltd**', in point 3, the following rows are inserted in the order of the code numbers:

'BD-BIO-152	Bangladesh	x	—	—	x	—	—
CN-BIO-152	China	x	—	—	x	—	—
GH-BIO-152	Ghana	x	—	—	x	—	—
KH-BIO-152	Cambodia	x	—	—	x	—	—
LA-BIO-152	Laos	x	—	—	x	—	—
MM-BIO-152	Myanmar/Burma	x	—	—	x	—	—
OM-BIO-152	Oman	x	—	—	x	—	—
RU-BIO-152	Russia	x	—	—	x	—	—
SA-BIO-152	Saudi Arabia	x	—	—	x	—	—';

(15) in the entry relating to '**Oregon Tilth**', in point 3, in the row concerning Mexico, a cross is added in column E;

(16) in the entry relating to '**Organic Certifiers**', in point 3, the following row is inserted in the order of the code numbers:

'ID-BIO-106	Indonesia	x	—	—	x	—	—';
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(17) in the entry relating to '**Organska Kontrola**', in point 3, in all rows, a cross is added in column B;

(18) the entire entry relating to '**QC&I GmbH**' is deleted;

(19) the entry relating to '**Suolo e Salute srl**' is amended as follows:

(a) in point 3, the following rows are inserted in the order of the code numbers:

'DO-BIO-150	Dominican Republic	x	—	—	x	—	—
EG-BIO-150	Egypt	x	—	—	—	—	—';

(b) point 4 is replaced by the following:

'4. Exceptions: in-conversion products and wine.'