



Brussels  
AGRI B4/HD/ant/agri.b.4(2024)9766807

Dear Sir / Dear Madam,

DG AGRI has, together with the Group of Experts on Organic Production, assessed the information in the Organic Farming Information System (OFIS). This has led to the conclusion that, in 2025, additional control and reporting measures are necessary for certain imported products.

**The present letter is therefore addressed to all control authorities and control bodies recognised in accordance with Article 46 of Regulation (EU) 2018/848 <sup>(1)</sup> and listed in Annex II of Commission Implementing Regulation (EU) 2021/1378 <sup>(2)</sup>.**

## 1. SCOPE OF THE ADDITIONAL CONTROL MEASURES

### 1.1. Concerned products

The reassessment of the risk of occurrence of non-compliances <sup>(3)</sup> has led to the conclusion that additional control measures should be applied. This means that from 1 January 2025 until 31 December 2025 at least the following additional control measures as regards products originating in and imported directly from one of the countries below

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<sup>(1)</sup> Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 OJ L 150, 14.6.2018, p. 1, [ELI: http://data.europa.eu/eli/reg/2018/848/oj](http://data.europa.eu/eli/reg/2018/848/oj).

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/1378 of 19 August 2021 laying down certain rules concerning the certificate issued to operators, groups of operators and exporters in third countries involved in the imports of organic and in-conversion products into the Union and establishing the list of recognised control authorities and control bodies in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council, OJ L 297, 20.8.2021, p. 24, ELI: [http://data.europa.eu/eli/reg\\_impl/2021/1378/oj](http://data.europa.eu/eli/reg_impl/2021/1378/oj).

<sup>(3)</sup> The frequency of physical controls must depend on the likelihood of non-compliances as laid down in Article 45(5) of Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) 834/2007 and Article 6 of Commission Delegated Regulation (EU) 2021/2306 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the official controls in respect of consignments of organic products and in-conversion products intended for import into the Union and on the certificate of inspection, OJ L 461, 27.12.2021, p. 13, [ELI: http://data.europa.eu/eli/reg\\_del/2021/2306/oj](http://data.europa.eu/eli/reg_del/2021/2306/oj).

or via another third country are necessary to ensure compliance of products with Article 45 of Regulation (EU) No 2018/848 <sup>(4)</sup>.

These control measures are without prejudice to the basic obligations to carry out a minimum percentage of additional controls and take a minimum number of samples based on a risk assessment <sup>(5)</sup>.

These additional control measures should be applied exclusively to the following products and the operators producing, preparing, trading, storing or exporting organic food and feed with the following CN-codes <sup>(6)</sup>:

Country of origin	Product	CN code(s) <sup>(7)</sup>	Taric subheadings (where applicable)	Percentage of consignments subject to checks and sampling in third country
China	Ginger	0910 11 00 2006 00 10		10%
China	Peanuts	1202 42 00		10%
China	Pumpkin seeds	ex1207 99 96 ex1209 91 80 ex1212 99 95	10	10%
China	Soy	2304 00 00		10%
China	Tea	0902 10 00 0902 20 00 0902 40 00		20%
Dominican Republic	Bananas	0803 90 11 0803 90 19		5%
Ecuador	Bananas	0803 90 11 0803 90 19		5%
Egypt	Onions	0703 10 19		10%
Honduras	Coffee	0901 11 00 0901 21 00		10%
Paraguay	Chia	ex1207 99 96		10%
Peru	Bananas	0803 90 11 0803 90 19		5%
Peru	Ginger	0910 11 00		10%
Sri Lanka	Tea	0902 10 00 0902 20 00 0902 30 00 0902 40 00		10%

<sup>(4)</sup> Regulation (EU) No 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007, OJ L 150, 14.6.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/848/oj>.

<sup>(5)</sup> Article 16 of Commission Delegated Regulation (EU) 2021/1698 of 13 July 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies, OJ L 336, 23.9.2021, p. 7, ELI: [http://data.europa.eu/eli/reg\\_del/2021/1698/oj](http://data.europa.eu/eli/reg_del/2021/1698/oj).

<sup>(6)</sup> See <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:111003>

<sup>(7)</sup> Where only certain products under any CN code are required to be examined, the CN code is marked as 'ex'.

		2106 90 92		
Türkiye	Lentils	0713 40 00		10%
Türkiye	Pomegranates	ex0810 90 75 ex0811 90 95 ex2009 89 99	30	30%
Türkiye	Sultanas	0806 20 30		10%

## 1.2 Sampling percentages

For the products defined in section 1.1, the control authorities and control bodies should carry out additional sampling for consignments applying the minimum sampling percentages as stipulated in the table above, for the products in the abovementioned list.

## 2. NATURE OF THE ADDITIONAL CONTROL MEASURES

### 2.1. Sampling and analysing for presence of non-authorised substances <sup>(8)</sup>

For consignments <sup>(9)</sup> of products sampled according to the percentages defined in section 1, the control body should take at least one representative sample of the consignment. Sampling should 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 <sup>(10)</sup> and Commission Directive 2002/63/EC establishing Community methods of sampling for the official control of non-authorised substances in and on products of plant and animal origin <sup>(11)</sup>. These samples should be analysed for the presence of non-authorised substances in a laboratory accredited to the analytical methods used. The analytical methods to be used should cover all the relevant non-authorised substances, including ethylene oxide, as defined by expert knowledge. This implies that, inter alia, the appropriate specific analytical methods – including single-residue methods where relevant – should be applied to detect non-authorised substances. The results of the analysis or the tests carried out on the samples taken should be included in the sampling report and contain the identification of the consignment: lot number and, when available, number of the certificate of inspection (COI). The control body should not issue the certificate of inspection before it has received and assessed the result of these analyses.

The sampling report of a consignment should be introduced in TRACES. Please bear in mind that, according to Article 5(2) of Commission Delegated Regulation 2021/2306 <sup>(12)</sup>, sampling results should be uploaded in TRACES along with

<sup>(8)</sup> This excludes the products referred to in Commission Implementing Regulation (EU) No 2021/1165 of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists, OJ L 253, 16.7.2021, p. 13, [http://data.europa.eu/eli/reg\\_impl/2021/1165/oj](http://data.europa.eu/eli/reg_impl/2021/1165/oj).

<sup>(9)</sup> The definition of consignment is set out in Article 2(5) of Commission Implementing Regulation (EU) 2021/2307 of 21 October 2021 laying down rules on documents and notifications required for organic and in-conversion products intended for import into the Union, OJ L 461, 27.12.2021, p. 30, [http://data.europa.eu/eli/reg\\_impl/2021/2307/oj](http://data.europa.eu/eli/reg_impl/2021/2307/oj).

<sup>(10)</sup> Commission Regulation (EU) No 691/2013 of 19 July 2013 amending Regulation (EC) No 152/2009 as regards methods of sampling and analysis, OJ L 197, 20.7.2013, p. 1, <http://data.europa.eu/eli/reg/2013/691/oj>.

<sup>(11)</sup> Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC, OJ L 187, 16.7.2002, p. 30, <http://data.europa.eu/eli/dir/2002/63/oj>.

<sup>(12)</sup> Commission Delegated Regulation (EU) 2021/2306 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the official controls in respect of

commercial and transport documents. This information, among the information to be submitted in the Annual Report mentioned below, will be used for the supervision by DG AGRI.

## 2.2. Controls

- a. The control body or control authority should carry out 2 physical inspections per year of each operator involved in producing, preparing, trading, storing or exporting organic products listed under section 1 it intends to certify. One of these inspections should be unannounced.
- b. On a farm that is certified for the first time, the control authority or control body should carry out the first inspection of each parcel before cultivation measures on that parcel in order to be able to certify the product.
- c. The control body or control authority should take at least one field crop sample each year at each operator as defined in point a. The sample should be taken from crops in the field, at the most appropriate moment to detect the potential use of non-authorized substances according to expert knowledge. The sample should be analysed as set out in point 2.1. For operators not growing crops, a relevant sample of incoming raw material, intermediate product or processed product should be taken.
- d. The control body or control authority should pay utmost attention to the verification of the product flows and traceability established by each operator as defined point a. It should also verify the quantities harvested and/or prepared, the means of storage and transport of the goods, including the possible application of non-authorized substances at these stages.
- e. The control body or control authority should analyse in depth the bookkeeping and financial documentation of each operator as defined in point a, for which it intends to certify products. The control body or control authority should systematically verify the destination of all the products harvested and/or prepared at the farm it certifies, regardless of whether these crops are sold as organic or not or are exported or not. This includes the quantities and the names of the buyers.
- f. As stipulated in Article 4 of Delegated Regulation (EU) 2021/2306, the control body or control authority should issue the certificate of inspection before the shipment leaves the third country of origin or of export.
- g. Before issuing the certificate of inspection, the control body or control authority should carry out systematic documentary checks in accordance with Article 3 of Delegated Regulation (EU) 2021/2306 verifying:
  - a) the traceability of the products and ingredients;

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consignments of organic products and in-conversion products intended for import into the Union and on the certificate of inspection, OJ L 461, 27.12.2021, p. 13, [ELI: http://data.europa.eu/eli/reg\\_del/2021/2306/oj](http://data.europa.eu/eli/reg_del/2021/2306/oj).

- b) that the volume of the products included in the consignment is in line with the mass balance checks of the respective operators according to the assessment carried out by the control authority or control body;
- c) the relevant transport documents and commercial documents (including invoices) of the products.

At simple request, the control body or control authority must send this traceability documentation to the control body of the importer concerned and to the Competent Authorities of the importing country. In case of a complex supply chain a transparent flow chart must be added to that documentation unequivocally presenting both the flow of the goods and the financial flow.

At least points a) and c) should also be applied to new and other operators who cultivate fields that are in conversion to organic farming.

### **3. EXCHANGE OF INFORMATION**

Where operators and/or their subcontractors change their control body, the new control body must verify and ensure that non-conformities noted in the control file forwarded by the previous control body have been completely and effectively addressed by the operator<sup>(13)</sup>.

The control bodies must carefully evaluate the situation where a certification decision on such an operator has to be made. DG AGRI will take all necessary supervisory actions to ensure that control bodies have done this effectively.

### **4. REPORTING**

In accordance with Article 3 of Commission Delegated Regulation 2021/1698 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies<sup>(14)</sup>, the Commission services request the implementation of these recommendations to be documented and made available in a report.

This report must be included in the annual report referred to in Article 4 of Delegated Regulation 2021/1698 and include at least the following information:

1. The list of the operators under your control in the countries mentioned above.

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<sup>(13)</sup> Article 21(5) of Commission Delegated Regulation (EU) 2021/1698.

<sup>(14)</sup> Commission Delegated Regulation (EU) 2021/1698 of 13 July 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies, OJ L 336, 23.9.2021, p. 7, ELI: [http://data.europa.eu/eli/reg\\_del/2021/1698/oj](http://data.europa.eu/eli/reg_del/2021/1698/oj).

2. For each operator and for the period starting on 1 January 2025 and ending on 31 December 2025:
  - a. the inspections carried out, indicating the date of each inspection;
  - b. the sampling and analyses carried out;
  - c. the non-compliances found;
  - d. the corrective measures and/or sanctions applied;
  - e. the Certificates of Inspection signed;
  - f. for each operator who changed its control body, the corrective measures and/or sanctions applied if non-conformities were noted in the report of the previous control body.
3. As regards consignments subject to the additional official controls in accordance with this letter:
  - a. COI reference for imported consignments;
  - b. overview of sampling analysis results which indicate presence of non-authorised substances, if any;
  - c. investigations and follow-up measures taken by the control body in case of non-authorised substances found in the consignment, including the decision concerning the consignment e.g. downgrading the consignment to conventional, not issuing a COI etc., as well as confirmation that the operator has taken corrective measures.

Yours faithfully,



Gijs SCHILTHUIS

c.c.: List of Accreditation bodies