



Circular 02/2021

Date 20 July 2021

NOTICE TO ALL ORGANIC CONTROL BODIES & IMPORTERS/FIRST CONSIGNEE

Obligations on Importers and First Consignees for organic imports from third countries

Further to the previous Department Notice of 20th May 2021 referring to advance notification, DAFM as the Competent Authority wishes to advise importers and first consignees of the requirement to check that there is a valid and endorsed Certificate of Inspection (COI) for each consignment, whereby the status of the COI is 'consignment verified'.

Importers and first consignees should be aware that following reception of advance notification, DAFM, as Competent Authority, carries out relevant checks and completes Box 20 of the COI, declaring whether the consignment is:

- Clearable – whereby the product is free for circulation as organic
- Clearable as conventional – whereby the consignment is released for free circulation as conventional, **NOT as organic**
- Not clearable – Consignment cannot be released for free circulation in the **EU**

There is an obligation on the first consignee (company listed in box 12), as set out in Article 13 of Commission Regulation 1235/2008, to complete box 21 of the COI, to certify that:

1. The COI has been validated by the Competent Authority (Box 20)
2. The consignment is in appropriate packaging or container, closed in a manner preventing substitution
3. There is identification on the consignment that includes details of the exporter and other marks and numbers that identify the lot with the certificate of inspection

These requirements are set out in Article 34 of Commission Regulation 889/2008 below:

Article 34

Special rules for the reception of products from a third country

Organic products shall be imported from a third country in appropriate packaging or containers, closed in a manner preventing substitution of the content and provided with identification of the exporter and with any other marks and numbers serving to identify the lot and with the certificate of control for import from third countries as appropriate.

On receipt of an organic product, imported from a third country, the first consignee shall check the closing of the packaging or container and, in the case of products imported in accordance with Article 33 of Regulation (EC)

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No 834/2007, shall check that the certificate mentioned in that Article covers the type of product contained in the consignment. The result of this verification shall be explicitly mentioned in the documentary accounts referred to in Article 66 of this Regulation.

Once box 21 of the COI is complete, the first consignee shall then send the original hard copy certificate to the importer mentioned in box 11. Please note that due to COVID-19, there is derogation as regards the obligation to have a paper version of the certificate of inspection. This is set out in Commission Implementing Regulation (EU) 2020/977.

Goods cannot be sold as organic until such time as the Certificate of Inspection status is as First Consignee Declaration Signed (Box 21).

The importer must retain the certificate for a period, not less than two years, and make available on the request of the organic control authority or the control body

Any queries regarding same please contact:

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