

Technical note aimed at setting up a procedure for importing organic and in-conversion products

Scope: BIO BE, BIO LU

Changes from the previous version of this technical note are highlighted in green.

1. Definitions

First consignee in the European Union: a natural or legal person established in the European Union and subject to the control system referred to in Regulation (EU) 2018/848, to whom the consignment is delivered by the importer after release for free circulation and who receives it to subsequent preparation and/or marketing.

Importer: a natural or legal person established in the European Union and subject to the control system referred to in Regulation (EU) 2018/848, who presents the consignment for release for free circulation in the EU, either in person, or through a representative.

Exporter: operator who exports the products from the country indicated in box 9 of the COI. The exporter is the operator who carries out the final operation - for the purpose of preparation within the meaning of Article 3(44) of Regulation (EU) 2018/848 - on the products listed in box 13 of the COI and who has sealed the packaging or container in appropriate conditions in accordance with point 6 of Annex III to Regulation (EU) 2018/848.

e-COI: electronic inspection certificate, as described in Delegated Regulation 2021/2306 or inspection certificate for the import of organic and in-conversion products into the European Union.

TRACES: Trade expertise and control system

SAD : Single Administrative Document. Customs declaration form. Also called “DAU”, meaning “declaration administrative unique”.

CHED: Consignments of animals and goods entering the Union through designated border control posts must be accompanied by a Common Health Entry Document)

2. Certification of suppliers

Before arranging an import of organic and/or in-conversion products, the exporter's organic certificate will be requested and checked for its validity via Annexes I and II of EU 2021/2325. In case of doubt, the Certisys inspector is contacted. The exporter must be registered in TRACES. The same applies to the importer and the first consignee.

3. e-COI (parts I and II of EU 2021/2306)

An e-COI must be present in TRACES for each shipment. The consignment will be identified on this document with batch numbers and the flow of goods is also described. The e-COI can be initiated in TRACES by the exporter, the exporter's control body and/or the importer. The importer must agree in advance with the exporter who will initiate the e-COI in TRACES in order to avoid duplicate e-COIs for the same shipment. The exporter's inspection body must sign box 18 of the e-COI before the departure of the goods from the country of origin. The importer is responsible for proper functioning of operations.

4. Import notification (EU 2021/2307)

No later than 1 day before the scheduled arrival, box 20 of the e-COI must be completed. For consignments subject to official controls at border control posts, the expected date of arrival and expected time of arrival at the border control post must be indicated. For consignments exempted from official controls at border control posts, the date and expected time of arrival at the point of release for free circulation must be indicated.

Applicable for the period between **01/01/23-31/12/23**

For the products with additional import conditions, the inspection body and the government concerned must be notified before the arrival of the goods. Since extra controls and sampling have to be carried out on these products, they must be notified before arrival. You can find the products concerned below.

Additional conditions for import of certain products from China
, India, Paraguay, Peru and Sierra Leone

Country	CN code	Product name	Number of consignments to be sampled
China	0910 11 00 2006 00 10	ginger	10%
China	0709 93 90 1207 99 96 1212 99 95	pumpkin (seeds)	10%
China	2304 00 00	soy (bean, cakes, meals, expeller, etc.)	10%
China	0902 20 00 0902 40 00	Tea (different)	20%
India	2304 00 00	soy (bean, cakes, meals, expeller, etc.)	10%
India	0910 30 00 1302 19 70	curcuma/turmeric	20%
Paraguay	1207 99 96	chia seeds	10%
Peru	1008 50 00 1104 29 89	quinoa	10%
Sierra Leone	1801 00 00	cocoa (beans etc.)	10%

Attention: The above-mentioned products can only leave the site of the first consignee, or if applicable: the bounded warehouse (as organic-product) after there are no doubts about the organic-status of the goods concerned based on the documents, the documentary check and the results of the analysis (sampling).

5. Reception in Europe

Two procedures are possible for the further processing of the shipment in Europe:

Procedure 1

Animals and goods which, when imported, are subject to food and feed safety control, or phytosanitary controls at a border control post.

Procedure 2

Products which are not subject to food and feed safety control, or phytosanitary controls at a border control post.

Details of the 2 reception procedures in Europe :

	Procedure 1 – Border checkpoint	Procedure 2 – Release point
Case 10 e-COI	Select the appropriate border control post	Select the appropriate release point for free circulation
Deadline for carrying out documents and possible physical checks by the competent authority	On entering the EU and before or at the same time as the CHED check.	Before putting organic products into free circulation
CHED	In box I.31 of the CHED indicate "biological or in conversion type " and the reference number of the e-COI (see box 3). The FASFC can only complete the CHED after the e-COI has been stamped by the competent authority in box 30	N.A.

The importer provides notification by e-mail (*) to the competent regional authority in accordance with procedure 1 or 2, indicating the reference number (box 3) of the COI. The e-COI is then electronically signed by the competent authority in box 30. The signature of the regional authority depends on the region where the border control post or the point of release for free circulation is located. (For your information: pay attention to “Brussels” and “Zaventem”).

(*) Brussels: Landbouw@gob.brussels (NL) / agriculture@sprb.brussels (FR)

Grand Duchy of Luxembourg: import-control@asta.etat.lu

Flanders: importbio@lv.vlaanderen.be

Wallonia: bio.import.dgo3@spw.wallonie.be

The commercial invoice and transport documents must be uploaded in TRACES as an attachment to the corresponding e-COI. The customs code **C644** must be used in box 44 of the SAD in the case of organic goods, specifying the reference number of the e-COI (box 3). The absence of the C644 code in the SAD does not allow the batch to be cleared as "organic an/ or in-conversion".

After carrying out the checks referred to in point 6 of Annex III to Regulation (EU) 2018/848, the first consignee signs box 31 of the e-COI. The first consignee hereby confirms that the following points have been checked upon the lot:

- Packaging or suitable containers/,
- Correct closure of packaging and containers (sealed),
- Batch identification system (traceability),
- Presence of the identification of the exporter,
- Consistency between the data on the batch documents (including phytosanitary certificate, B/L, invoice, organic certificate, etc.), the product labels and the incoming data of the first recipient with the data on the eCOI

Attention: companies can only continue trading/move/release the goods after box 30 and, if applicable, box 31 of the e-COI have been signed in TRACES.

6. Use of extracts (part I and part II of EU 2021/2307)

If the importer wishes to clear a batch indicated on an e-COI in several times, the importer or the first consignee must prepare an extract in TRACES for each quantity cleared. This extract must be submitted together with the e-COI to the competent authority, who will stamp the extract in box 12. Again, the extract in boxes 12 and 13 must be signed in TRACES

before the products are released for free circulation. The importer ensures that the extracts in TRACES are also handled correctly.

7. Obligation to notify in case of doubt about the organic status of the product

In the event of a deviation from this procedure or in the event of confirmed doubt about the conformity of the goods, Certisys will always be informed. See document **NT3829**.

8. Useful Links

More detailed information and updates on importing organic products can be found on the relevant Region's website.

Brussels : <https://economie-emploi.brussels/import-export-agricultural-products>

Flanders : <https://lv.vlaanderen.be/nl/bio/import>

Wallonia : <https://agriculture.wallonie.be/importation-de-produits-bio>

Grand Duchy of Luxembourg: <https://logistics.public.lu/fr/formalities-procedures/type-goods/food-feed/organic-products.html>

For technical problems, consult the TRACES user manual: <https://webgate.ec.europa.eu/tracesnt-help/Content/Home.html>