

CERTISYS STANDARD FOR ORGANIC PRODUCTION IN NON EU COUNTRIES

Introduction

This standard holds the objectives and principles, the production rules, labelling requirements and control measures for operators in non EU countries who intend to bring their products to the European market bearing reference to the organic agriculture. This standard has been presented to the European Commission according to the procedure laid down in article 11 of Regulation (EC) 1235/2008.

Any agricultural product produced, processed or exported by an operator in a non EU country and certified against this standard shall be considered as equivalent with the EU organic regulations. According to article 33 of the Regulation (EC) 834/2007 such products can continue to bear these references to organic agriculture once they have entered the European internal market.

This standard consists of two books. Book 1 holds the general rules. Book 2 holds the specific rules. Book 1 and 2 of this standard have the same organisational structure as the Regulation (EC) No 834/2007 and Regulation (EC) No 889/2008 respectively.

Contrary to the Regulations, the Certisys standard is a standard only applicable on plant production. For revision purposes, the numbering of the articles in both Books corresponds with the mentioned Regulations. Due to that choice, non relevant parts of the European regulations for the Certisys standard have been maintained in this standard and are easily identifiable due to the wording « not applicable ».

A table of content can be found at the end of book 1 and book 2.

BOOK 1: GENERAL RULES

TITLE I

AIM, SCOPE AND DEFINITIONS

Article 1

Aim and scope

1. This standard provides the basis for the sustainable development of organic production in a non EU country where operators produce agricultural products which are intended to be put on the market in EU countries while bearing references to organic agriculture.

This standard establishes common objectives and principles to underpin the rules set out under this standard concerning:

- (a) all stages of production, preparation, distribution and export of organic products to the European Community and their control;
- (b) the use of indications referring to organic production in labelling and advertising.

2. Operators based in non EU countries who rely on Certisys for the certification of their organic products for the EU market, shall apply this standard to the following products originating from agriculture:

- (a) raw or unprocessed plant products;
- (b) processed plant products for use as food;
- (c) not applicable

(d) vegetative propagating material and seeds for cultivation.

3. This standard shall apply to any operator involved in activities, at any stage of production, preparation, distribution and export, relating to the products set out in paragraph 2.

4. This standard shall apply without prejudice to national provisions in the non EU country, concerning products specified in this Article, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs.

Article 2

Definitions

For the purposes of this standard, the following definitions shall apply:

(a) 'organic production' means the use of the production method compliant with the rules established in this Regulation (EC) No 834/2007 and 1235/2008, at all stages of production, preparation, distribution and export;

(b) 'stages of production, preparation, distribution and export' means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the European Community based importer, and where relevant labelling, advertising, export and subcontracting activities;

(c) 'organic' means coming from or related to organic production;

(d) 'operator' means the natural or legal persons or groups of such persons responsible for ensuring that the requirements of this standard are met within the organic business under their control;

(e) 'plant production' means production of agricultural crop products including harvesting of wild plant products for commercial purposes;

(h) 'conversion' means the transition from non organic to organic farming within a given period of time, during which the provisions concerning the organic production have been applied;

(i) 'preparation' means the operations of preserving and/or processing of organic products, including packaging, labelling and/or alterations made to the labelling concerning the organic production method;

(j) the definition of 'food', 'is that given in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety [OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).];

(k) 'labelling' means any terms, words, particulars, trade marks, brand name, pictorial matter or symbol relating to and placed on any packaging, document, notice, label, board, ring or collar accompanying or referring to a product;

(l) the definition of 'pre-packaged foodstuff' is that given in Article 1(3)(b) of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs [OJ L 109, 6.5.2000, p. 29. Directive as last amended by Commission Directive 2006/142/EC (OJ L 368, 23.12.2006, p. 110).:];

(m) 'advertising' means any representation to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of organic products;

(n) not applicable

(o) not applicable

(p) 'control body' means Certisys, the independent private non EU party carrying out inspection and certification in the field of organic production in accordance with the provisions set out under the Regulations (EC) 834/2007 and No 1235/2008;

(q) 'mark of conformity' means the assertion of conformity to a particular set of

standards or other normative documents in the form of a mark;

(r) the definition of 'ingredients' is that given in Article 6(4) of Directive 2000/13/EC;

(s) the definition of 'plant protection products' is that given in Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/31/EC (OJ L 140, 1.6.2007, p. 44).;]

(t) the definition of 'Genetically modified organism (GMO)' is that given in Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC [OJ L 106, 17.4.2001, p. 1. Regulation as last amended by Regulation (EC) No 1830/2003 (OJ L 268, 18.10.2003, p. 24).] and which is not obtained through the techniques of genetic modifications listed in Annex I.B of that Directive;

(u) 'produced from GMOs' means derived in whole or in part from GMOs but not containing or consisting of GMOs;

(v) 'produced by GMOs' means derived by using a GMO as the last living organism in the production process, but not containing or consisting of GMOs nor produced from GMOs;

(w) not applicable

(x) not applicable

(y) 'processing aid' means any substance not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or their ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the unintentional but technically unavoidable presence of residues of the substance or its derivatives in the final product, provided that these residues do not present any health risk and do not have any technological effect on the finished product;

(z) the definition of 'ionising radiation' is that given in Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation [OJ L 159, 29.6.1996, p. 1.] and as restricted by Article 1(2) of Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the

laws of the Member States concerning foods and food ingredients treated with ionising radiation [OJ L 66, 13.3.1999, p. 16. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1)]

(aa) not applicable

TITLE II

OBJECTIVES AND PRINCIPLES FOR ORGANIC PRODUCTION

Article 3

Objectives

Organic production shall pursue the following general objectives:

- (a) establish a sustainable management system for agriculture that:
 - (i) respects nature's systems and cycles and sustains and enhances the health of soil, water, plants and animals and the balance between them;
 - (ii) contributes to a high level of biological diversity;
 - (iii) makes responsible use of energy and the natural resources, such as water, soil, organic matter and air;
 - (iv) not applicable
- (b) aim at producing products of high quality;
- (c) aim at producing a wide variety of foods and other agricultural products that respond to consumers' demand for goods produced by the use of processes that do not

harm the environment, human health, plant health or animal health and welfare.

Article 4

Overall principles

Organic production shall be based on the following principles:

(a) the appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:

- (i) use living organisms and mechanical production methods;
- (ii) practice land-related crop cultivation ;
- (iii) exclude the use of GMOs and products produced from or by GMOs

(iv) are based on risk assessment, and the use of precautionary and preventive measures, when appropriate;

(b) the restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in paragraph (a) do not exist, these shall be limited to:

- (i) inputs from organic production;
- (ii) natural or naturally-derived substances;
- (iii) low solubility mineral fertilisers;

(c) the strict limitation of the use of chemically synthesised inputs to exceptional cases these being:

- (i) where the appropriate management practices do not exist; and
 - (ii) the external inputs referred to in paragraph (b) are not available on the market; or
 - (iii) where the use of external inputs referred to in paragraph (b) contributes to unacceptable environmental impacts;
- (d) the adaptation, where necessary, and within the framework of this standard, of the rules of organic production taking account of sanitary status, regional differences in climate and local conditions and stages of development.

Article 5

Specific principles applicable to farming

In addition to the overall principles set out in Article 4, organic farming shall be based on the following specific principles:

- (a) the maintenance and enhancement of soil life and natural soil fertility, soil stability and soil biodiversity preventing and combating soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;
- (b) the minimisation of the use of non-renewable resources and off-farm inputs;
- (c) the recycling of wastes and by-products of plant and animal origin as input in plant production;
- (d) taking account of the local or regional ecological balance when taking production decisions;
- (e) not applicable

- (f) the maintenance of plant health by preventative measures, such as the choice of appropriate species and varieties resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and the protection of natural enemies of pests;
- (g) not applicable
- (h) not applicable
- (i) not applicable
- (j) not applicable
- (k) not applicable
- (l) not applicable
- (m) not applicable
- (n) not applicable
- (o) not applicable

Article 6

Specific principles applicable to processing of organic food

In addition to the overall principles set out in Article 4, the production of processed organic food shall be based on the following specific principles:

- (a) the production of organic food from organic agricultural ingredients, except where an ingredient is not available on the market in organic form;

- (b) the restriction of the use of food additives, of non organic ingredients with mainly technological and sensory functions and of micro-nutrients and processing aids, so that they are used to a minimum extent and only in case of essential technological need or for particular nutritional purposes;
- (c) the exclusion of substances and processing methods that might be misleading regarding the true nature of the product;
- (d) the processing of food with care, preferably with the use of biological, mechanical and physical methods.

Article 7

Specific principles applicable to processing of organic feed

not applicable

TITLE III

PRODUCTION RULES

CHAPTER 1

General production rules

Article 8

General requirements

Operators shall comply with the production rules set out in this Title and with the

implementing rules provided for in Book 2 of this standard.

Article 9

Prohibition on the use of GMOs

1. GMOs and products produced from or by GMOs shall not be used as food, processing aids, plant protection products, fertilisers, soil conditioners, seeds, vegetative propagating material and micro-organisms in organic production.
2. For the purpose of the prohibition referred to in paragraph 1 concerning GMOs or products produced from GMOs for food, the maximum amount of GMO that can be found in such products shall not exceed the percentage given in article 12 of Regulation (EC) 1829/2003.
3. For the purpose of the prohibition referred to in paragraph 1, with regard to products not being food or products produced by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.
4. The implementing measures regarding the prohibition on the use of GMOs and products produced from or by GMOs are provided for in book 2 of this standard.

Article 10

Prohibition on the use of ionising radiation

The use of ionising radiation for the treatment of organic food or feed, or of raw materials used in organic food or feed is prohibited.

CHAPTER 2

Farm production

Article 11

General farm production rules

The entire agricultural holding shall be managed in compliance with the requirements applicable to organic production.

However, in accordance with specific conditions to be laid down in accordance with the implementing rules of book 2 of this standard a holding may be split up into clearly separated units which are not all managed under organic production. As regards plants, different varieties that can be easily differentiated shall be involved.

Where, in accordance with the second subparagraph, not all units of a holding are used for organic production, the operator shall keep the land, and products used for, or produced by, the organic units separate from those used for, or produced by, the non-organic units and keep adequate records to show the separation.

Article 12

Plant production rules

1. In addition to the general farm production rules laid down in Article 11, the following rules shall apply to organic plant production:

(a) organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil stability and soil biodiversity, and prevent soil compaction and soil erosion;

(b) the fertility and biological activity of the soil shall be maintained and increased by multi-annual crop rotation including legumes and other green manure crops, and by the application of livestock manure or organic material, both preferably composted and originating from organic production units ;

(c) the use of bio-dynamic preparations is allowed;

- (d) in addition, fertilisers and soil conditioners may only be used if they have been authorised for use in the annexes of book 2 of the Certisys Standard;
- (e) mineral nitrogen fertilisers shall not be used;
- (f) all plant production techniques used shall prevent or minimise any contribution to the contamination of the environment;
- (g) the prevention of damage caused by pests, diseases and weeds shall rely primarily on the protection by natural enemies, the choice of species and varieties, crop rotation, cultivation techniques and thermal processes;
- (h) in the case of an established threat to a crop, plant protection products may only be used if they have been authorised for use in the annexes of book 2 of the Certisys standard;
- (i) for the production of products other than seed and vegetative propagating material only organically produced seed and propagating material shall be used. To this end, the mother plant in the case of seeds and the parent plant in the case of vegetative propagating material shall have been produced in accordance with the rules laid down in this standard for at least one generation, or, in the case of perennial crops, two growing seasons;
- (j) products for cleaning and disinfection in plant production shall be used only if they have been authorised for use in the annexes of book 2 of the Certisys standard.

2. The collection of wild plants and parts thereof, growing naturally in natural areas, forests and agricultural areas is considered an organic production method provided that:

- (a) those areas have not, for a period of at least three years before the collection, received treatment with products other than those authorised for use in the annexes of book 2 of the Certisys standard;
- (b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

3. not applicable

Article 13

Production rules for seaweed

not applicable

Article 14

Livestock production rules

not applicable

Article 15

Production rules for aquaculture animals

not applicable

Article 16

Products and substances used in farming and criteria for their authorisation

Not applicable

Article 17

Conversion

1. The following rules shall apply to a farm on which organic production is started:

(a) the conversion period shall start at the earliest when the operator has notified his activity to Certisys and subjected his holding to the control system in accordance with Article 28(1);

(b) during the conversion period all rules established by this standard shall apply;

(c) conversion periods specific to the type of crop are defined in Book 2 of this standard;

(d) on a holding or unit partly under organic production and partly in conversion to organic production, the operator shall keep the organically produced and in-conversion products separate and keep adequate records to show the separation;

(e) in order to determine the conversion period referred to above, a period immediately preceding the date of the start of the conversion period, may be taken into account, in so far as certain conditions concur;

(f) not applicable

2. The measures and conditions necessary for the implementation of the rules contained in this Article, and in particular the periods referred to in paragraph 1(c) to (f) are defined in book 2 of this standard.

CHAPTER 3

Production of processed feed

Article 18

General rules on the production of processed feed

not applicable

CHAPTER 4

Production of processed food

Article 19

General rules on the production of processed food

1. The preparation of processed organic food shall be kept separate in time or space from non-organic food.
2. The following conditions shall apply to the composition of organic processed food:
 - (a) the product shall be produced mainly from ingredients of agricultural origin; in order to determine whether a product is produced mainly from ingredients of agricultural origin added water and cooking salt shall not be taken into account;
 - (b) only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, as well as amino acids and other micro-nutrients in foodstuffs for particular nutritional uses may be used, and only in so far as they have been authorised for use in organic production in accordance with the annexes of book 2 of the Certisys Standard;
 - (c) non-organic agricultural ingredients may be used only if they have been authorised for use in organic production in accordance with the annexes of book 2 of the Certisys Standard;
 - (d) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;

(e) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.

3. Substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of these products or that otherwise may be misleading as to the true nature of these products shall not be used.

The measures necessary for the implementation of the production rules contained in this Article are provided for in book 2 of this standard.

Article 20

General rules on the production of organic yeast

not applicable

Article 21

Criteria for certain products and substances in processing

not applicable

CHAPTER 5

Flexibility

Article 22

Exceptional production rules

not applicable

TITLE IV

LABELLING

The general labelling requirements for the marketing of foodstuff in the European Community are applicable for organic products. The EU based importer is responsible for the compliance of the labelling of the imported organic products with these general labelling requirements.

Article 23

Terms referring to organic production on products destined for the European market

1. For the purposes of this standard a product can only be regarded as bearing terms referring to the organic production method as it is defined in this standard where, in the labelling, advertising material or commercial documents, such a product or its ingredients are described in terms suggesting to the purchaser that the product, its ingredients have been obtained in accordance with the rules laid down in Regulations (EC) No 834/2007 and 1235/2008. This also applies for their derivatives or diminutives, such as 'bio' and 'eco', alone or combined.

In the labelling and advertising of raw or unprocessed agricultural products terms referring to the organic production method as it is defined in this standard can only be used for the purpose of this standard where, in addition, all the ingredients of that product have also been produced in accordance with the requirements laid down in Regulations (EC) No 834/2007 and 1235/2008.

2. The terms referred to in paragraph 1 shall not be used for the labelling, advertising and commercial documents of a product which does not satisfy the requirements set out under the Regulations (EC) No 834/2007 or 1235/2008, unless they are not applied to agricultural products in food or clearly have no connection with organic production. Furthermore, any terms, including terms used in trademarks, or practices used in labelling

or advertising liable to mislead the consumer or user by suggesting that a product or its ingredients satisfy the requirements set out under the Regulations (EC) No 834/2007 or 1235/2008 shall not be used.

3. The terms referred to in paragraph 1 shall not be used for a product for which it has to be indicated in the labelling or advertising that it contains GMOs, consists of GMOs or is produced from GMOs.

4. As regards processed food, the terms referred to in paragraph 1 may be used:

(a) in the sales description, provided that:

(I) the processed food complies with Article 19;

(ii) at least 95 % by weight, of its ingredients of agricultural origin are organic;

(b) only in the list of ingredients, provided that the food complies with Article 19(1), 19(2)(a), 19(2)(b) and 19(2)(d);

(c) not applicable

The list of ingredients shall indicate which ingredients are organic.

In the case where point (b) of this paragraph applies, the references to the organic production method may only appear in relation to the organic ingredients and the list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of ingredients of agricultural origin.

The terms and the indication of percentage referred to in the previous sub-paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

5. Operators and Certisys shall take the measures necessary to ensure compliance with this Article.

6. not applicable

Article 24

Compulsory indications

1. Where terms as referred to in Article 23(1) are used:
 - (a) the reference to Certisys (cfr Ann IV or Regulation (EC) 1235/2008) shall also appear in the labelling;
 - (b) not applicable
 - (c) not applicable
 - (d) name and address of the EU based operator bringing the product to the market.
2. The indication referred to in paragraph 1 shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible.
3. not applicable

Article 25

Organic production logos

not applicable

Article 26

Specific labelling requirements

Specific labelling and composition requirements are laid down in book 2 of this standard

applicable to

(a) not applicable

(b) in-conversion products of plant origin;

(c) not applicable

TITLE V

CONTROLS

Article 27

Control system

1. not applicable

2. not applicable

3. In the context of this standard the nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence of irregularities and infringements as regards compliance with the requirements laid down in this standard. In any case, all operators shall be subject to a verification of compliance at least once a year.

4. not applicable

5. not applicable

6. not applicable

7. not applicable

8. not applicable
9. not applicable
10. not applicable
11. not applicable
12. The control bodies shall ensure that at least precautionary and control measures are applied to operators subject to their control.
13. not applicable
14. not applicable.

Article 28

Adherence to the control system

1. An operator who produces, prepares, stores or exports products in the meaning of Article 1(2) and who places products on the European market shall, prior to placing on the market of any products as organic or in conversion to organic:
 - (a) notify his activity to Certisys and
 - (b) engage himself to respect the requirements of this standard.

Where an operator contracts out any of the activities to a party, that operator shall nonetheless be subject to the requirements referred to in points (a) and (b), and the subcontracted activities shall be subject to the control system.

2. not applicable

3. not applicable

4. not applicable

5. not applicable

6. Specific rules to provide details of the notification and submission procedure referred to in paragraph 1 of this Article in particular with regard to the information included in the notification referred to in paragraph 1(a) of this Article are mentioned in book 2 of this standard.

Article 29

Documentary evidence

1. Certisys shall provide documentary evidence to any such operator who is subject to their controls and who in the sphere of his activities, meets the requirements laid down in this standard.

2. The operator shall verify the documentary evidence of his suppliers.

3. The form of the documentary evidence referred to in paragraph 1 is specified in book 2 of this Standard.

Article 30

Measures in case of infringements and irregularities

1. Where an irregularity is found as regards compliance with the requirements laid down in this standard, Certisys shall ensure that no reference to the organic production

method is made in the labelling and advertising of the entire lot or production run affected by this irregularity, where this would be proportionate to the relevance of the requirement that has been violated and to the nature and particular circumstances of the irregular activities.

Where a severe infringement or an infringement with prolonged effect is found, Certisys shall prohibit the operator concerned from marketing products which refer to the organic production method in the labelling and advertising for a limited period of time which is indicated in the Certisys sanction table.

2. Information on cases of irregularities or infringements affecting the organic status of a product shall be immediately communicated between the relevant control bodies, control authorities, competent authorities and, where appropriate, to the Commission. The level of communication shall depend on the severity and the extent of the irregularity or infringement found.

Article 31

Exchange of information

Upon a request duly justified by the necessity to guarantee that a product has been produced in accordance with this standard, Certisys can exchange relevant information on the results of their controls with competent authorities, control authorities and control bodies. Certisys may also exchange such information on its own initiative.

Title VI

TRADE WITH NON EU COUNTRIES

Article 32

Import of compliant products

not applicable

Article 33

Import of products providing equivalent guarantees

not applicable

TITLE VII

FINAL AND TRANSITIONAL RULES

Article 34

Free movement of organic products

not applicable

Article 35

Transmission of information to the Commission

not applicable

Article 36

Statistical information

not applicable

Article 37

Committee on organic production

When Certisys has to take a decision regarding amendments of its standard, it shall be assisted by a Committee on organic production supervising the respect of all relevant requirements.

Article 38

Implementing rules

In book 2 of this standard, Certisys adopts detailed rules for the application of this standard.

Article 39

Repeal of Regulation (EEC) No 2092/91

not applicable

Article 40

Transitional measures

not applicable

Article 41

Report to the Council

not applicable

Article 42

Entry into force and application

not applicable

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