



Imports of products from Ex-Soviet States and China

The European Commission (EC) have placed additional controls on the import of certain organic goods from the countries detailed below. This is following concerns over the organic integrity of certain products. Defra have issued guidelines to UK certification bodies which we have detailed below. These must be followed for importing into the European Union (EU), any of the product categories from the countries listed below.

Ukraine, Kazakhstan, Russian Federation and Moldova

These controls apply to organic food and feed with the following CN codes:

- a) Chapter 10 – Cereals
- b) Chapter 11 – Products of the milling industry; malt; starches; inulin; wheat gluten. The following CN codes are excluded: CN codes 1105, 1106, 1107, 1108, 1109
- c) Chapter 12 – Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder except for processed products ready for human consumption derived from them. The following CN codes are excluded: CN codes 1211, 1212, 1213, 1214
- d) Chapter 23 – Residues and waste from the food industries, prepared animal fodder. The following CN codes are excluded: CN codes 2307

China

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- b) Chapter 11 – Products of the milling industry; malt; starches; inulin; wheat gluten. The following CN codes are excluded: CN codes 1105, 1106, 1107, 1108, 1109
- c) Chapter 12 – Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder, except for processed products ready for human consumption derived from them. The following CN codes are excluded: CN codes 1211, 1212, 1213, 1214
- d) Chapter 23 – Residues and waste from the food industries, prepared animal fodder. The following CN codes are excluded: CN codes 2307
- e) CN code 0810 9075 - Goji berries (*Lycium barbarum* and *Lycium chinense*) and products processed from them.

Follow this link for further details of the CN Codes:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1602&from=EN>

These controls also apply if the product is imported via another country before entry into the EU. For example, product originating in Ukraine but imported via Turkey then into the UK, will still require the same controls as product imported direct from Ukraine to the UK.

What do these controls mean for you?

If you import, or intend to import, any products affected by this you must to take the following actions before using or selling the product with reference to organic.

1. Point of entry

The importer of the affected organic goods, together with the Port Health Authority (PHA), need to ensure there is complete documentation for consignments at the point of entry:

- a) Certificate of inspection (COI)
- b) Documents of custom declaration
- c) Transport documents
- d) Operators and product traceability: verification of names, addresses and valid certification of each operator involved, from farmer(s) to exporter and all operators in between, including traders.

The certification bodies of the exporters have been informed by the EC that when issuing the COI, they must ensure the correct documentation is available for point d above. If needed they will then be able to supply this traceability information to the importers certification body or the PHA.

2. Sampling & analysis

Each consignment must be sampled at point of entry into the EU and sent for pesticide testing. This is the responsibility of the importer.

Important: Please note, in the UK some PHAs will allow product to leave the port and go to the 1st consignee for sampling, while other PHAs insist that the product remains at port while it is sampled, and the test results awaited and will not endorse the COI after the product leaves port. This means you need to **check with the port of entry what their practice will be**.

At least 1 representative sample must be taken of each consignment at the point of entry in the EU.

For minimum number of primary samples and sample sizes for sampling food products refer to EC Directive 2002/63/EC of 11 July 2002 or Codex Recommended Methods of Sampling for the Determination of Pesticide Residues for Compliance with MRLS CAC/GL 33-1999.

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002L0063&from=EN>

http://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252Fstandards%252FCAC%2BGL%2B33-1999%252FCXG_033e.pdf

For sampling feed refer to Commission Regulation (EU) No 691/2013 on the sampling methods to be used for official control of feed

<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:197:0001:0012:EN:PDF>

The following principles should be adhered to when taking samples:

- a) the procedure must avoid contamination or risk of contamination of the sample – i.e. those taking samples should avoid handling/touching the samples. Only clean, new gloves and bags or containers should be used. Storage should be in clean and dry conditions and the sample should be sent to its destination as soon as possible;
- b) sample bags should be carefully chosen to avoid cross-contamination by the bags themselves (e.g. diphenylamine, widely used in plastic bag manufacture). Double-bagging should be considered to prevent spillage or contamination;
- c) those taking samples should be aware prior to taking the sample of any special storage requirements (e.g. refrigeration, freezing) and act accordingly;
- d) samples taken must be representative of the batch as a whole;
- e) samples taken should be bagged and sealed in the presence of the operator or a person authorised to represent the operator;
- f) samples must be clearly and individually labelled including the lot/batch number and number of the Certificate of Inspection.

3. Handling the samples and recording data

As a minimum, the following traceability information must be recorded for the samples taken:

- a) batch/lot number and number of the Certificate of Inspection;
- b) details of the container e.g. sealed or open;

- c) details of the supplier (name and contact details i.e. address, telephone number and e-mail address);
- d) copies of the delivery documents (i.e. the documents accompanying the product when it was delivered to the operator);
- e) the date that the product was delivered/imported;
- f) details of where the sample is taken
- g) the size of the consignment from which the sample was taken;
- h) the date that the sample was taken;
- i) the name of the person taking the sample.

4. Testing

- The operator is responsible for sending the samples to an accredited laboratory for testing.
- Analysis must be carried out by a laboratory accredited by the United Kingdom Accreditation Service (UKAS), or by a laboratory accredited in the member state where the consignment 1st entered the EU to carry out the relevant testing.
- The laboratories individual tests must also be accredited and identify a broad range of pesticides, certifying that there has been no contamination of the consignment by substances not authorised for EU organic production.
- When no accredited test exists for a substance found to be present in the screening test, the Operator must consult their certification body.
- The sampling report of each sample must contain the identification of the consignment: i.e. lot number and number of the Certificate of Inspection.

5. Action on Outcome of Test Results

- You must submit the test results to Soil Association Certification (sacl.notifications@soilassociation.org), together with a copy of the Certificate of Inspection, for the consignment the sample was taken from.
- The PHA will only endorse the Certificate of Inspection, allow the consignment to leave the premises of the first consignees and allow the product to be placed on the market with reference to organic when they have verified the documents as per point 1 and we have confirmed the laboratory results are acceptable.
- If the test results show any non-permitted pesticides, the consignment must not be marketed or sold as organic until there has been an investigation carried out by us with a satisfactory conclusion. The cost of removal and/or redistribution of the consignment will be the responsibility of the Operator.

If you have any queries, please contact us on cert@soilassociation.org or on 0117 914 2411