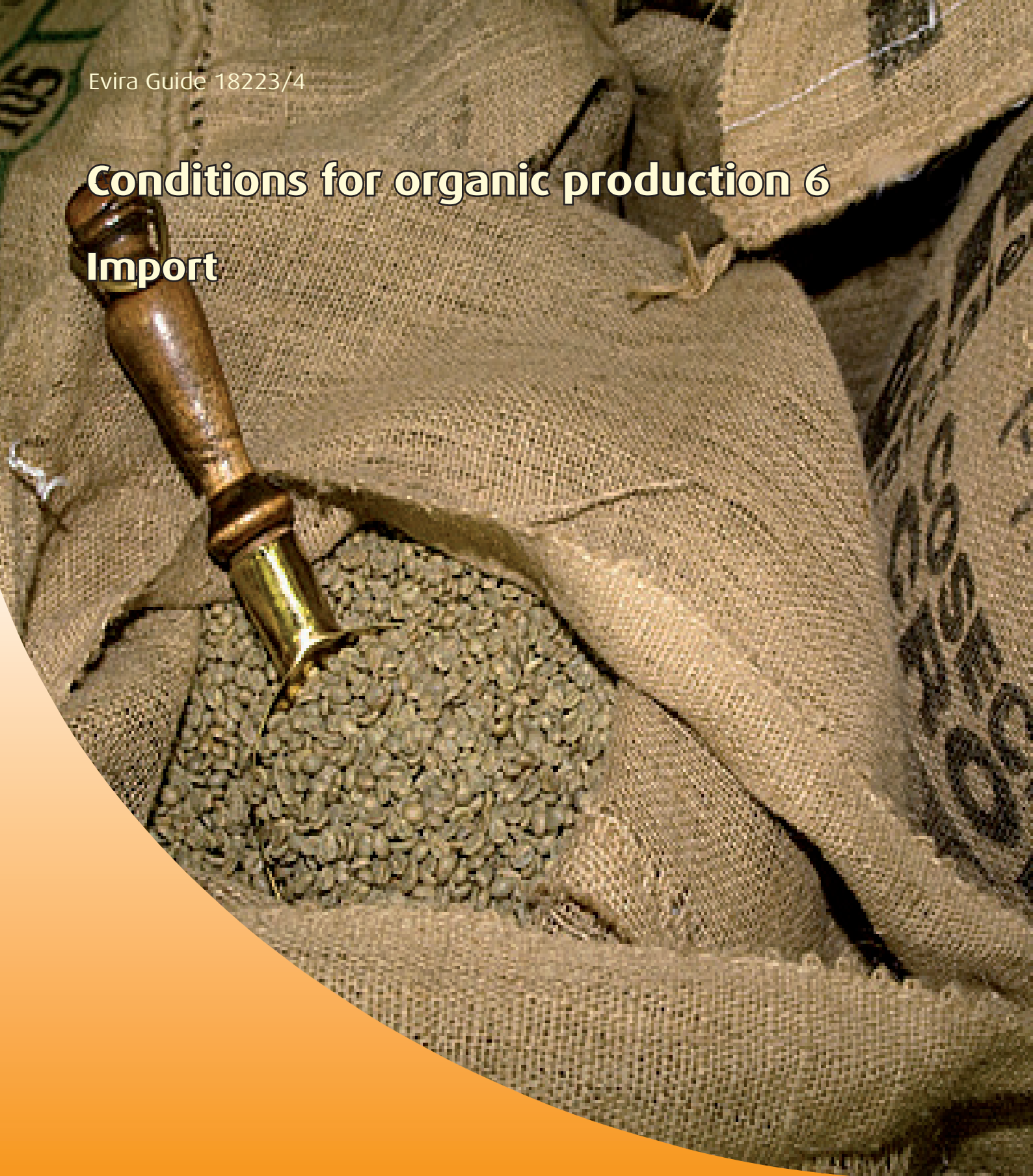


# Conditions for organic production 6

## Import





Evira's guidelines 18223/4

## **Conditions for organic production 6**

**Import**

**2017**

Evira's guidelines 18223/4  
Enforced on: 6.10.2017

Organic Production Section

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## Introduction

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One of the objectives of organic production is to produce a large selection of products which fits the demands of the consumer for goods produced using methods that are not harmful to the environment, the health and wellbeing of humans, plants or animals. Organic products imported into the EU can be placed on the market within the Union if they are produced in compliance with the legislation of the European Union or equivalent production rules.

Controls of the imports of organic products are an essential part of the Union's control system for organic products. The objective of the controls is to create and improve the confidence of the consumers in organic production. The controls also guarantee the prerequisites for fair competition between the operators as they all have to follow the same rules. A requirement for the import of organically produced goods is that the imported goods are produced and controlled in accordance with the provisions corresponding to the legislation of the union.

These guidelines cover the rules and requirements for the import and acceptance of organically produced products. It is also worth familiarising yourself with the production guidelines for the product to be imported. These guidelines cover submitting to the control systems for organic production, further processing of imported products, marketing within the Union and controls of the internal market. [The texts that have been changed since the last edition of the guideline \(Evira's guideline 18223/3; 15.6.2015, in Finnish and Swedish\) are identified by the blue text.](#)

Any ambiguities in the production guidelines can be reported to the Organic Production Section of the Finnish Food Safety Authority at the address Mustialankatu 3, 00790 HELSINKI or by e-mail at the address [luomuelintarvike@evira.fi](mailto:luomuelintarvike@evira.fi).

**Finnish Food Safety Authority Evira**

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**An authority's actions must be based on the powers granted to it by legislation, and the laws must be strictly adhered to in activities performed as a public authority. By their legal nature, guidelines issued by authorities are not binding on other authorities or operators. Issues concerning application of legislation are ultimately settled in a court of law.**

**These guidelines include both direct quotations from the legislation and interpretations of the application of the legislation. *The interpretations are written in italics.* The interpretations presented in the guidelines are Evira's views on how the legislation should be applied.**



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# 1 Definitions

- In this guideline, import means the import of organic products from countries outside the EU.
- The internal market means free movement of products from other EU member countries – this is not import.
- An importer is a natural or legal person operating within the EU, who submits the consignment for release into free circulation within the EU, either themselves or through their representative.
- The first consignee is the natural or legal person that a consignment imported to the union is sent to, and who receives it for the purpose of preparation and/or marketing.
- The importer and the first consignee can be the same operator.

## 1.1 Import of organic products

Import of organic products means the import into the Union from countries outside of the EU, from so called third countries.

The free movement of goods to Finland from other EU member countries is not import, but it is internal market business. The rules for organic import are not implemented for the internal market business actions.

Organic products brought from third countries that are not intended to be released for free circulation within the EU as such or after processing (goods in transit, internal processing under a suspensive customs procedure) are not either considered as import.

Iceland, Liechtenstein and Norway are members of The European Economic Area (EEA), and therefore the provisions for import of organic products into the EU do not apply.

The import provisions are not applied either to certain products imported duty free (for example low value product samples).

An operator who runs a business in the organic sector and imports organic products from outside the EU has to submit their business to the control system for organic production before marketing the products. The first consignees of the products to be imported also have to be submitted to the control system. If the import

activities are contracted out to a third party (subcontracting), the control system has to be applied to the activities carried out.

## 1.2 Other

### **First consignee**

a natural or legal person that a consignment imported into the union is sent to, and who receives it for the purpose of preparation and/or marketing

### **Organic products**

live or unprocessed agricultural products, products from aquaculture and seaweeds, processed agricultural products used as food, feed, vegetative propagating material and seeds for cultivation

### **Organic**

derived from or connected with organic production

### **Verification of a consignment**

the verification by the relevant Member States' authorities (Customs in Finland) of the certificate of inspection to satisfy the import regulation 1235/2008, and, where the authorities consider appropriate, of the products, in relation to the requirements of Regulation (EC) No 834/2007, of Regulation (EC) No 889/2008 and of the import regulation 1235/2008

**Consignment**

is a quantity of products under one or more Combined Nomenclature codes, covered by a single certificate of inspection, conveyed by the same means of transport and imported from the same third country

**Certificate of inspection**

is the certificate of inspection referred to in Article 33(1)(d) of Regulation (EC) No 834/2007 and in article 13 of the import regulation (EC) No 1235/2008 covering one consignment which has been issued by a control authority or control body in the country of export.

**Original certificate of inspection**

A printout of the certificate of inspection in the Traces system which is signed manually, or alternatively the certificate of inspection in the Traces system which is signed with an electronic signature approved for the Traces system. The manually signed printout has to fully equate to the information recorded in the Traces system.

**Traces NT**

An electronic system maintained by the EU Commission where the certificates of inspection for the import of organic products as from 19.10.2017 will go. It requires separate user codes that differ from those of the Traces system even though it is a newer version of the same system.

**Non-organic**

is not derived from or does not relate to production in accordance with the organic regulation or the implementing regulation, other than organic

**Operator**

a natural or legal person responsible for ensuring that the requirements of the regulations for organic production are met within the organic business under their control

**Importer**

a natural or legal person operating within the EU who submits the consignment for release into free circulation within the EU, either themselves or through their representative. The importer and the first consignee can be the one and the same operator.



## 2 Legislation

- **EU legislation:** [www.eurlex.europa.eu](http://www.eurlex.europa.eu)
- **National legislation:** [www.finlex.fi](http://www.finlex.fi)
- **[Import regulation \(EC\) No 1235/2008](#)** (the latest consolidated version)
- **Consolidated version in legislation means that the commission has added any changes to the original legislation (regulation, directive, decision). Note! The latest changes may not have been added to the consolidated version!**

Organic production is especially regulated by

- Council Regulation (EC) No 834/2007 on organic production and labelling of organic products in agricultural products and foodstuffs (organic regulation) and
- Commission Regulation (EC) No 889/2008 (the implementing regulation) and
- Commission Regulation (EC) No 1235/2008 on the import of organic products from countries outside the EU (**the import regulation**).

The minimum requirements for the import into the EU of organically produced agricultural products and foodstuffs to be marketed within the EU are set out in the legislation.

The regulations on organic products are valid legislation as such in all of the member countries. The legislation of the European Union can be read and printed out from the EUR-Lex internet pages of the European Union at the address [www.eur-lex.europa.eu](http://www.eur-lex.europa.eu). EUR-Lex offers direct and free access to the law of the European Union. On EUR-Lex you can read the official journal of the European Union and it contains amongst other things the treaties, the legislation, the case law and the preparatory acts.

Almost all of the regulations, directives and decisions are also published as a consolidated version which includes the changes in the legislation. It is worth noting that the consolidated version is not always necessarily up to date, so

for example the updates from the latest amending regulation may be missing. The original legislation and the consolidated versions are easy to find with the help of the simple search function.

### ***National legislation regulating the control of organic products***

- The act on organic production control 294/2015. By this law the Council regulation on organic production including the provisions related to it has been implemented in Finland.
- The decree of the Ministry of Agriculture and Forestry 454/2015 on organic production.

The act on control of organic production 294/2015 contains the rules for the division of labour between the authorities when it comes to the controls of organic production. The act and the decree are available on the internet (in Finnish and Swedish) at the address [www.finlex.fi](http://www.finlex.fi).

In addition to the decree by the Ministry of Agriculture and Forestry, the controls are also regulated by the Regulation (EC) No 882/2004 of the European Parliament and the Council on official controls carried out to ensure the verification of compliance with feed and food law, animal health and animal welfare.

## 3 Submitting to the control system for organic production

- **The importer and the first consignee have to be submitted to the control system for organic production under the authority covering those products (Evira, the ELY Centres, Valvira) they wish to import**

**As to imports, the importer and the first consignee have to include the following in their plan for organic production:**

- **a full descriptions of the premises to be used and of the import activities and, if the importer is also the first consignee, the reception of the goods,**
- **all the practical measures the business takes to ensure that the legislation on organic production is adhered to and**
- **precautionary measures which the business takes in order to avoid any possible mix-ups or exchanges with non-organic products**
- **the cleaning measures to be taken in the storage places.**

An operator who imports organic products from outside the EU has to submit their business to the control system for organic production before marketing the products. The first consignees of the products to be imported also have to be submitted to the control system. A business also has to be submitted to the control system when the import activities are contracted out to third parties (subcontracting). The control system will then cover the activities carried out by the subcontractor.

If a business is starting to import organic products and is already submitted to the control system for organic production, the intended changes have to be reported to Evira in good time and the plan for organic production has to be updated in accordance with point 3.1. The form for updating the plan is found on Evira's internet pages at [www.evira.fi](http://www.evira.fi).

The controls ensure fair competition between the operators, proper functioning of the internal market and most of all consumer confidence in organic foodstuffs on the EU market.

Control systems and authorities are

- agricultural production (Finnish Food Safety Authority Evira or hereafter Evira, the ELY Centres)
- seeds and plant material (Evira, the ELY Centres)

- feed (Evira)
- foodstuffs (Evira) and
- alcoholic beverages (National Supervisory Authority for Welfare and Health, Valvira).

When submitting to the control system for organic production, the importer undertakes to perform the operations in accordance with the EU legislation on organic production, to accept the consequences of any irregularities or infringements set out in that legislation and to contact the buyers of the products in writing if the product does not fulfil the legislated requirements. The importer is also bound to allow the control authority/control body to inspect all of the storage facilities used for the import of the products, even when they are situated in another member state.

There is more detailed information on joining the control system in the guidelines on importing products ([www.evira.fi](http://www.evira.fi)). Note! Alcoholic beverages: [www.valvira.fi](http://www.valvira.fi)).

### 3.1 Plan for organic production

When requesting inclusion in the control system, the importer and the first consignee have to attach a plan for organic production regarding

the import activities and the reception of the consignments.

The organic production plan describes amongst other things the critical control points where there is a risk that organic products could be mixed or exchanged with non-organic products. Questions of e.g. hygiene are not covered by the plan.

It is the duty of all who request to be included in and who are submitted to the control system for organic production to draw up, update and follow an organic production plan. An operator who is responsible for imports has to inform the control authority in reasonable time about any changes to the plan. Even the operators for which a self-check plan as covered by the food act is not required have to draw up a plan for the organic operation.

The plan for import of organic products can be included as a part of the organic production plan, quality handbook or self-check plan for the rest of the organic operation (production, processing, storage and transport).

The plan for organic production has to include:

***A full description of the import (importer)***

When a business is involved in imports of organic products, on its own account or as a subcontractor, the full description of the unit's activities shall indicate the points of entry of the products into the Community and any other facilities the importer intends to use for storage of the imported products pending their delivery to the first consignee.

***Full description of the reception of the products (first consignee)***

In the case of the first consignee for the products to be imported (also a consignee who operates on account of someone else), the full description has to include the premises used for the reception and storage of the goods.

***Full descriptions of the subcontracting used***

When a business is contracting out their import operations in part or in total (e.g. customs clearance, transports and storage of the goods carried out by a forwarding agency) or use a third party to receive the goods, the full description of the business has to include

- a list of the subcontractors and a description of the contracted operations

- details on the control bodies and control authorities the subcontractors are subjected to
- a written agreement by the subcontractors to be subjected to a control system in accordance with the provision laid down in the legislation on organic production (regulation (EC) No 834/2007, Title V) and
- all the practical measures, including an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products placed on the market can be traced to, as appropriate, their suppliers, sellers, consignees and buyers.

***Precautionary and practical measures***

The organic production plan shall explain which precautionary and practical measures are adhered to in order to ensure that the products are organic at all stages of the import activities and the reception of the products.

The organic production plan for the imports is based on highlighting the critical points and how they are controlled. These control points are all those stages of storage, transport and reception of organic products where there is a risk that a non-organic product could get mixed up with organic products or that a non-organic product could be labelled as organic.

The organic production plan has to include a description of the measures the operator will take if suspecting that the imported/received organic products don't fulfil the requirements in the organic regulation. The indications referring to the organic production method then have to be removed from the labelling, advertising and accompanying documents or they can only be marketed with labelling indicating organic production after the doubt has been eliminated.

***Cleaning measures***

The organic production plan has to describe all cleaning measures taken to ensure that there are no mix-ups or exchanges with non-organic products in storage and other premises used for the import.

The description shall explain for example how the shelves on the storage premises are emptied of non-organic products before storing organic products and how the cleaning and the assessment of its adequacy are recorded. Cleaning measures in the organic production plan does not refer to how hygiene requirements are adhered to.

## 4 Import controls

- The control authorities are: Evira, Valvira, Customs, Ålands landskapsregering (Åland Provincial Government)

The obligations of the importer and first consignee related to controls:

- The inspector has to be allowed to inspect all of the areas of the production unit or import unit and the documentary accounts including related documents.
- The inspector has to be given all the information that the inspector deems necessary for carrying out the inspection.
- The inspector has to be given the results of the operator's own quality assurance programmes if requested.

### 4.1 The obligations of the importer and first consignee related to controls

During controls of the import of organically produced products the importer and the first consignee have to

- allow the inspector to inspect all of the areas of the production unit or import unit and the documentary accounts including related documents
- give the inspector all the information that the inspector deems necessary for carrying out the inspection
- give the results of the operator's own quality assurance programmes to the inspector, if requested.

### 4.2 Control Authorities

#### **Evira**

Evira plans, directs and [develops](#) the controls of the imports of organic agricultural products, organic seeds and propagation materials, organic feed and foodstuffs and organic aquaculture products and seaweeds. [Evira is also the national administrator for the Traces NT system as to the import of organic products.](#)

Evira always takes the official samples for analysis of salmonella in imported batches of protein feed of plant origin that are classified as particularly risk prone.

Import into the EU of organic foodstuffs derived from animals and of live animals in organic

production is only permitted via approved veterinary border inspection posts at the external borders of the Union. In Finland, samples of organic foodstuffs derived from animals are taken at an approved veterinary border inspection post in conjunction with the veterinary border control. The Veterinary Border Control and Intra-Union Trade Section at Evira is responsible for the analysis of the samples.

#### **Valvira**

The National Supervisory Authority for Welfare and Health, Valvira, [www.valvira.fi](http://www.valvira.fi) (Valvira) is in charge of the controls of alcohol in organic production.

#### **Customs**

Customs is in charge of the controls of organic products imported from countries outside the EU, which are third countries. When organic foodstuffs of non-animal origin enter into Finland from other EU member states, Customs checks in conjunction with the unloading and storage that the batch fulfils the requirements. Any samples taken of organic foods in conjunction with the entry controls that are of non-animal origin are analysed by the Customs Laboratory.

The National Board of Customs carries out binding tariff information analyses on application by the operators. Binding Tariff Information (BTI) is a decision in writing on the coding to be applied to the goods in conjunction with the import (TARIC Nomenclature). The decision is free of charge, it is binding for the customs authorities and it applies within the entire EU. Based on the TARIC Nomenclature, customs

determines e.g. the customs duties for the product to be imported.

The address for the Customs internet pages is [www.tulli.fi](http://www.tulli.fi).

***Controls on Åland***

The imports of organic products (with the exception of organic alcohol) to Åland are controlled by Ålands landskapsregering, [www.regeringen.ax](http://www.regeringen.ax).

## 5 Import system

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### The steps of the import:

- **Verifying the import procedure**
- **Reporting an incoming consignment to Customs and to Evira or to Valvira for alcoholic drinks.**
- **Presenting the original certificate of inspection and the transport documents to Customs in conjunction with the import**
- **Acceptance inspection carried out by the first consignee**
  
- **Customs inspect every batch of organic products to be imported**
- **If a batch of organic products has not been presented to Customs for inspection in conjunction with the import, the product can be placed on the market as a non-organic product, but not as organic**
- **It is not possible to present the consignment to Customs in retrospect**
  
- **All EU member states are bound by the same conditions for import of organic products**

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The importer can begin to import organic products after having joined Evira's, or, in case of alcoholic beverages Valvira's, control system for organic products. [The importer also has to apply for the user codes for the Traces NT system maintained by the EU Commission, in order to be able to provide the EU border customs with the required electronic certificate of inspection.](#)

Organic products can only be imported from outside the EU in packaging and containers closed in such a manner that substitution of the content cannot be achieved. The packaging and containers have to be provided with identification of the exporter and with any other markings and numbers serving to identify the lot to be imported with the original certificate of inspection.

The products have to be cleared by Customs before they can be released for free circulation within the EU. The customs clearance can be carried out in any EU member state or in Finland. In Finland it is the Finnish Customs that inspects the imports.

The import procedures for organic products are described in **table 1**.

### 5.1 Import procedures

It is advisable for an operator who plans to import from third countries to clarify which procedures are required for importing organic products from outside the EU before starting the operation. Currently the "approved third country" procedure and the "approved control body" procedures are in use. Both procedures help ensure the equivalence of the imported organic products with the EU legislation on organic products.

Annex III (approved third countries) and Annex IV (approved control bodies) to Commission Regulation (EC) No 1235/2008 contain the conditions based on which the importer has to ensure which import procedures can be used. The correct procedure is selected by first clarifying whether an organic product can be imported from an approved third country or whether the exporter is subjected to an approved control body in the export country.

If the exporting country is not found in Annex III of the import regulation or if the exporter is not subjected to a control body recognised in Annex IV or if the product due to any other reason, such

as the product category, the control body the exporter is subjected to or a rule for that particular product category (e.g. for wine), prohibits the product from being imported, it cannot be imported into the EU as an organic product.

The following list can be used to work out the correct procedure:

(Note! The text below refers directly to Annexes III and IV of the import regulation)

- **Export country:** Is the export country on the list of approved third countries or is it found in the list of an approved control body
- **Authority/control body the exporter is subjected to:** Does the authority/control body have the right to operate in the third country in question, and has the control body the exporter is subjected to prohibit the exporter from for example marketing the organic product in question. The information on the internet pages of the mentioned authorities and control bodies is found in the annexes.
- **Product category:** Is the organic product in a product category that can be imported from an approved third country or does one of the approved control bodies control the product category in the third country in question? The product categories are found below every approved third country and every approved control body.
- **Origin:** Are there exclusions as to the origin of the organic product to be imported? Point 2 of the list of approved third countries in Annex III gives the restrictions regarding the origin of the products.
- **Possible exceptions:** The exceptions related to the product categories are found in the list of approved third countries (annex III) in the column “limitations” or as footnotes to the product categories and in the list of approved control bodies (annex IV) in point 4 for each control body. Wine is an example that is still an exception with some control bodies. In that case, the control body cannot supervise the export of organic wine from the third country.
- **Duration of inclusion in the list:** Is the third country or the control body included in the list at the time of export (point 7 in the list of third countries and point 5 in the list of approved control bodies)?

#### 5.1.1 Procedures for approved third countries

The list of approved countries currently includes Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, Switzerland, Tunisia, the United States, New Zealand [and the Republic of Korea](#).

The Commission has confirmed that the production rules and control system for organic products applied in these countries are equivalent to the requirements in the EU legislation on organic products. Organic products

can be imported from these countries if the products are listed in Annex III of Commission Regulation (EC) No 1235/2008 and they fulfil the conditions given for the country in question. If the organic product does not fulfil the conditions for that country as mentioned in the annex (if for example the product is subjected to a control body other than the one mentioned in the annex), it is worthwhile for the importer to ensure that the exporter is subjected to a control body recognised in accordance with Annex IV of the import regulation. If that is not the case, it is not possible to import the product as organic.

Annex III of the import regulation contains an updated list of recognised third countries. The importer should note that the Commission makes changes to the annex often, and the latest changes are not always found in the consolidated legislation. The latest change can be confirmed by checking the bibliographic notices of the regulation in EUR-Lex. For example as to India, product category D: “Processed agricultural products for use as food” was dropped from Annex III of the import regulation as from 1.4.2013, which means that foodstuffs can no longer be imported from India by way of this category after that date (Commission regulation (EU) No 125/2013).

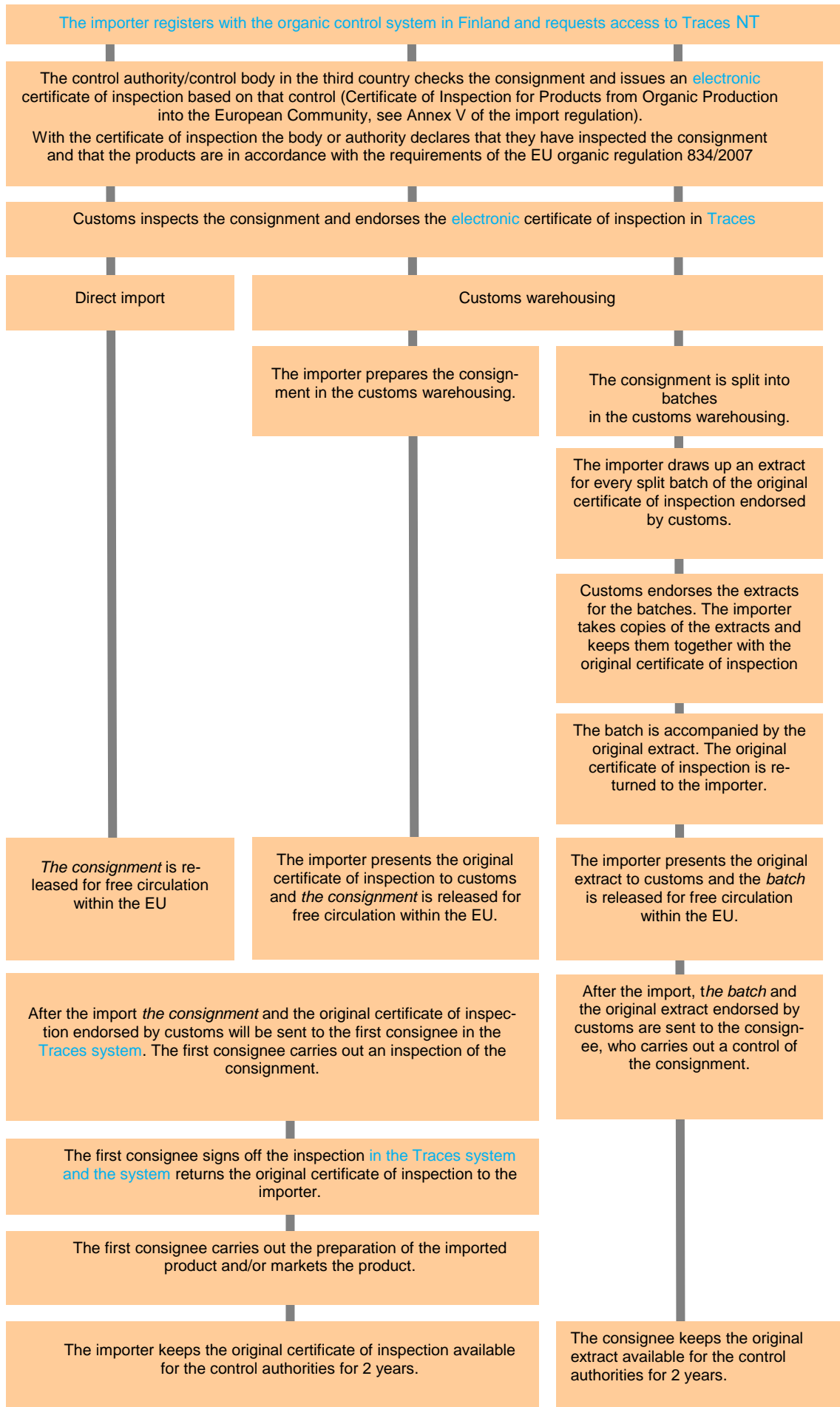
#### 5.1.2 Procedure with a recognised control body

Organic products can also be imported from third countries other than those recognised by the Commission if the exporter in the third country is subjected to a control authority or control body that is recognised by the Commission and the conditions mentioned in Annex IV to Commission Regulation (EC) No 1235/2008 are fulfilled.

The Commission has ensured that these control authorities and control bodies function in accordance with the EU legislation on organic products and has granted them the competence to carry out controls and to issue certificates of inspection in the third countries that are listed in Annex IV. Products mentioned in Annex IV of the import regulation can be imported from exporters in third countries that are supervised by these control authorities or control bodies, if they fulfil the mentioned criteria for that control body. If an organic product does not fulfil the conditions mentioned in Annex IV (if for example a product does not belong to a product category that the control body is authorised to supervise), it is not possible to import the product as organic.

Annex IV of the import regulation contains an updated list of recognised control bodies and control authorities. The importer should note that the Commission makes changes to the annex often, and the latest changes are not always found in the consolidated legislation. The latest change can be confirmed by checking the bibliographic notices of the regulation in EUR-Lex.

**Table 1:** Import of organic products





## 5.2 Certificate of inspection

Before any potential preparation is carried out on a consignment in the customs warehousing and when applying for a permit to release the consignment for free circulation, the importer has to present the customs authority with the original certificate of inspection (Kontrollintyg in Swedish, Tarkastussertifikaatti in Finnish) [in Traces NT or under exceptional circumstances on paper](#). An exception is import of organic products from Switzerland for which a certificate of inspection does not need to be presented.

The certificate of inspection has to be drawn up on the basis of the model and the notes set out in Annex V of the import regulation in one of the official languages of the Community. The control authority has the right to request a translation of the certificate of inspection into Finnish or Swedish. The translation has to be carried out by a sworn translator. The importer is responsible for the costs incurred by the translation.

A certificate of inspection can only be issued by

- A control body recognised by the Commission for Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, Tunisia, the United States, New Zealand and [the Republic of Korea](#). The products to be imported also have to fulfil the specific conditions set by the Commission (see Annex III of the import regulation).
- A control authority/control body recognised by the Commission with the right to function in the third country that is the country of export. The products to be imported also have to fulfil the specific conditions set by the Commission (see Annex IV of the import regulation).

The control authority/control body in question has been responsible for the documents related to the consignment and the inspection of the consignment in the exporting country and the certificate of inspection has been issued based on the performed inspection.

There can be only one original of the certificate of inspection.

Before presenting the original certificate of inspection to customs, it is advisable that the importer ensures that the product to be imported and the certificate of inspection are equivalent and that the document has been filled in correctly up to box 18. The rest of the certificate of inspection will be completed during the import procedure.

[If a printout of the certificate of inspection has been taken from the Traces NT system, the printout has to be fully equivalent to the original certificate of inspection in the system.](#)

After it has been released for free circulation, the original certificate of inspection has to “accompany” the product in the [Traces system](#) to the first consignee. After the inspection the first consignee returns the document to the importer by [noting in the Traces system that the inspection has been carried out](#). The importer has to keep the certificate available for the control authority for not less than two years. [The movements of the certificate of inspection as described above are carried out automatically in Traces NT after every acknowledgment carried out in the system.](#)

[The certificates of inspection can be filed in electronic format in the operator's own files, but they have to be available during the inspection. The importer should note that Traces NT is not an electronic archive for certificates of inspection.](#)

## 5.3 Prior notification of the import

The importer has to notify Evira of all the consignments to be imported into the Community in good time prior to presenting the goods to customs. The notifications of organically produced alcohol are to be directed to Valvira. In this way, it is possible to check beforehand that the products to be imported and the formalities related to the import fulfil the requirements of the organic legislation of the Community.

If the first consignee operates in another member state, e.g. Estonia, the importer has to send the notification on the import to the control authority or control body that the first consignee is subjected to in that member state. All of the names and code numbers of the authorities and control bodies in the member countries responsible for the controls of organic production are available on the internet address “Agriculture and rural development. Organic farming” maintained by the EU Commission. [http://ec.europa.eu/agriculture/organic/index\\_en.htm](http://ec.europa.eu/agriculture/organic/index_en.htm)

The notification that is sent to Evira has to include

- the name and address of the first consignee
- a copy of the certificate of inspection for that batch from Traces NT [or the number of the certificate of inspection in the system](#)

The importer can take a copy of the original certificate of inspection for the notification. The copy then has to carry the indication ‘COPY’ or ‘DUPLICATE’. Before drawing up the notification, it is worthwhile for the importer to check that the certificate of inspection is correct.

Notifications directed to Evira are to be sent to the registry office by e-mail ([kirjaamo@evira.fi](mailto:kirjaamo@evira.fi)). The heading has to clearly show that it is a notification of import of organic products. The

notification can also be sent by mail to the address:

Finnish Food Safety Authority Evira  
Registry Office / Import notifications for organic controls  
Mustialankatu 3, 00790 HELSINKI

Customs also requires advance notice of incoming consignments. The notifications are to be sent by e-mail to the address: [Kuluttajasuojelu@tulli.fi](mailto:Kuluttajasuojelu@tulli.fi)

#### 5.4 Information on transport arrangements

On request, the importer has to send customs details on the transport arrangements from the exporter in the third country to the first consignee. [The transport documents can be attached directly to the certificate of inspection for the batch in Traces NT.](#) The importer also has to include the details on transport arrangements in the documentary accounts, so that they can be also inspected by the inspectors carrying out the organic control.

The first consignee shall include the information on the transport arrangements from the premises/storage of the first consignee to the consignees in the European Community in their documentary records.

On request, the importer/first consignee has to be able to present the inspector with the routes and means of transport used (transport documents; a continuous route), the locations of the storage premises used and the arrangements for keeping organic and non-organic products separate.

#### 5.5 Presentation of goods to Customs

Only the importer recorded on the certificate of inspection or a representative for the importer can present the consignment to customs for release for free circulation or for moving it to customs storage for preparation or splitting into batches.

For every consignment to be imported or released for free circulation within the Community it is required that the importer

- is subjected to the control system for organic production for the product to be imported
- presents to the customs authority the original certificate of inspection for the consignment in the [Traces system](#);

And that the customs authority

- carries out an inspection of the consignment
- endorses the certificate of inspection [in the Traces system](#)

If the whole consignment or any of the products to be imported is prepared for sale or the products are split into batches in the customs warehousing before the batches are released for free circulation, a customs inspection also has to be carried out before carrying out these measures. Before any measures are taken, the original consignment always has to be presented to customs for inspection in order to be able to release the product for free circulation after the measures are carried out. The certificate of inspection is endorsed exceptionally before the release for free circulation in order to be able to e.g. ensure that the data on the certificate of inspection and the exporter's data plus the labels and numbering on the products to be imported match.

The customs authority endorses box [20](#) of the original certificate of inspection based on the inspection carried out.

##### 5.5.1 Customs declaration

The importer has to ensure that it is clearly stated on the customs declaration (an electronic declaration or a SAD form), the invoices and other commercial documents that the products are organic. The electronic customs declaration has to state the code for organic produce (C644) and e.g. the text "organic" or "organic production". If it is not notified on the customs declaration that the products are organic, customs will treat the products as non-organic and will not inspect the products and the import operation in accordance with the requirements in the legislation on organic production. If the products were cleared as non-organic, the importer can no longer prepare and/or market the products as organic, even if the importer could present the original certificate of inspection for the batch in retrospect. **It is up to the importer to ensure that the products are recorded as organic on the customs declaration and that the documents required for the import are presented to the customs authority.**

The importer has to present to customs the original certificate of inspection [in Traces](#) for all the consignments to be imported in order to be able to release the products for free circulation within the Community.

An exception is importing organic products from Switzerland for which a certificate of inspection does not need to be presented.

##### 5.5.2 Inspection of submission to the control system for organic production

Evira supplies the customs authority information on all operators engaged in imports who are submitted to the control system for organic production (as to organic alcoholic beverages the information is supplied by Valvira).

However, the operator has to demonstrate to the customs authority that they are subjected to the control system if requested.

### **5.5.3 Inspection of the consignment and endorsement of the certificate of inspection**

The customs authority checks the consignment by comparing the information on the certificate of inspection with the products in the consignment and also that the information supplied on the certificate of inspection are correct and that it fulfils the requirements. The customs authority can also take samples from the products to be imported to ensure that they are organic.

Customs endorses the inspection in box 20 on the original certificate of inspection, if they can verify that

- the importer is subjected to the control system for organic production for the product to be imported
- the whole consignment and all products correspond to the information given on the certificate of inspection and the information is correct and
- the samples taken of the products are confirmed to be organic (if any samples have been taken).

If any of the conditions mentioned above are not fulfilled, the certificate of inspection will not be endorsed and the products will not be released for free circulation as organic into the Community.

### **5.5.4 Release of a consignment for free circulation**

A consignment can be released for free circulation in the Community as organic after customs have inspected the consignment and based on the inspection endorsed the original certificate of inspection in box 20.

If it is found that the whole consignment or a product in the consignment does not fulfil the requirements in the organic legislation, the consignment/product can be released for free circulation on a case-by-case basis and only as non-organic. The references to organic production have to be removed from the labelling, advertising and accompanying documents (also from the certificate of inspection) of such a consignment/product. After this, the operator cannot market these products as organic within the Community.

After releasing the goods for free circulation, the original certificate of inspection endorsed by customs will automatically follow the consignment in Traces to the first consignee or be returned to the importer, if the importer and the first consignee are the same operator.

### **5.5.5 Release for free circulation after preparatory procedures or splitting into batches has been carried out in customs warehousing**

#### ***Preparatory procedures in customs warehousing***

If wanting to carry out preparatory procedures or if such procedures have to be carried out in accordance with legislation before the goods are released for free circulation, this has to be performed under customs control in customs warehousing. The preparatory procedures can be for example:

- packaging or repackaging and
- adding labelling concerning the presentation of the organic production method.

There is more detailed information on the specific requirements for the labelling of the organic product to be imported in the guidelines on organic production for the product. The guidelines are available on Evira's internet pages. If the product is e.g. a pre-packaged foodstuff aimed at consumers or mass caterers, the labelling has to be changed so that it also fulfils the general labelling requirements.

The processing and storage procedures under customs control are explained in more detail on the custom authority's internet pages.

A customs inspection of the consignment always has to be carried out before any preparation. The customs authority is presented with the original certificate of inspection, and endorses box 20 based on the inspection carried out. After the preparatory procedures have been carried out, the original certificate of inspection has to accompany the consignment. The original certificate of inspection is not yet to be returned to the importer at this stage.

An exception is importing organic products from Switzerland for which a certificate of inspection does not need to be presented.

The document is again presented to the customs authority in conjunction with the release of the consignment for free circulation. This is to ensure that the importer presented the consignment to customs before the preparatory procedures were carried out so that customs were able to inspect the original consignment.

#### ***Splitting the consignment into batches in customs warehousing***

If the consignment is to be split into batches before it is released for free circulation, it has to be done under customs control in customs warehousing. The consignment always has to be inspected by customs before the splitting operation. The customs authority is presented with the original certificate of inspection, and

endorses box 20 based on the inspection carried out.

The importer has to present a separate extract of the certificate of inspection for every batch the original consignment has been split into. The model and notes for the extract and are found in annex 4 to these guidelines. The certificate of inspection for the original consignment endorsed by customs and the extract are presented to the customs authority for approval of the extract. The customs authority approves the extract in box 13 if they can confirm that the batch has been split from the original consignment. After the approval of the split and the extract, the original of each extract has to accompany the batch in question.

The importer has to take copies of the extracts after they are approved by customs and keep the copies together with the original certificate of inspection. The copies of the extracts have to carry the indication 'COPY' or 'DUPLICATE'

The original extract is presented to the customs authority when the batch is to be released for free circulation.

The consignee of the batch fills in box 14 of the original extract after checking that

- the packaging of the product or the container are closed and they have not been substituted with another product and
- the extract of the certificate of inspection and the identification of the product and other markings and numbers match

The consignee has to keep the original extract of the certificate of inspection available for the control authorities for not less than 2 years.

### 5.6 Receipt of the products onto the premises of the first consignee

At the reception of the consignment the first consignee to whom the imported consignment is sent for preparation and/or marketing, has to check that.

- the packaging of the product or the container are closed and they have not been substituted with another product and
- the certificate of inspection and the information on the exporter's identification and other markings and numbers on the products match.

If changes have been made to the entries on the certificate of inspection or if entries have been removed, they have to be endorsed. Otherwise the document is invalid. The results of the inspection have to be clearly mentioned in the documentary accounts.

If after carrying out the inspection the first consignee finds that the products received fulfil the requirements set for them, the consignee shall endorse box 21 on the original certificate of inspection. In other cases box 21 is not to be endorsed.

The original certificate of inspection is automatically returned to the importer in Traces after the inspection has been signed off as approved. It is advisable to attach a copy of the original certificate of inspection returned to the importer in the documentary accounts of the first consignee. The copy then has to carry the indication 'COPY' or 'DUPLICATE'.

#### 5.6.1 Further preparation of imported organic products

The first consignee can prepare an imported organic product and/or market the product as organic if it fulfilled the requirements set for it at the reception of the consignment. If the product does not fulfil the requirements and/or it is unclear whether the product is organic, the product cannot be prepared or marketed before the ambiguity has been eliminated. Such preparation procedures are

- preserving/processing (including slaughter and cutting for livestock products),
- packaging/repackaging,
- the use of labelling referring to organic production or changing the labels.

## 6 Record keeping and documents

- In order to enable efficient controls, it is worth either keeping the records on organic products completely separate or clearly noting that the documents refer to organic products.
- The importer and the first consignee must have the following documents at hand for the inspector during a control: all certificates of inspection, transport documents and the results of the inspections done on reception.

Records have to be kept on the imports of organic products and the documentary accounts are to be verified with the correct receipts. The objective of record keeping is to ensure that the organic products are traceable and makes it possible to control that the number of organic products that are delivered to a unit and are stored there equates to the number of products leaving the unit. It is also to ensure that the requirements for organic production are adhered to.

In order to ensure effective controls the documentation on organic products has to be easy to find in the documentary accounts ("organic" can be written on the documents, for example). Stock and financial records have to be kept in the unit or on the operator's premises so that the operator and the control authority can verify that the production rules are being adhered to. If the importer and the first consignee do not operate in the same unit, the operators have to keep separate records.

The accounts must demonstrate the balance between the input and the output. The records must also show the losses generated during different stages of the operations.

### **Transports**

The importer must include detailed information in their documentary records of the transport arrangements from the exporter to the first consignee.

The first consignee must include the information on the transport arrangements from the premises/storage of the first consignee to the consignees in the European Community in their documentary records.

On request, the importer/first consignee has to be able to present the inspector with the routes and means of transport used (transport documents; a continuous route), the locations of the storage premises used and the arrangements for keeping organic and non-organic products separate.

### **Reception controls**

The first consignee shall include the results from the reception controls in their documentary records in accordance with point 5.6. It is also good to add a copy of the original certificate of inspection sent to the importer in [the Traces system](#), if the importer and the first consignee are not the same operator.



## 7 Charges for the controls and commercial services

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Public and commercial services related to Evira's controls of organic production are subject to a charge. The charges for the services are aimed at covering the costs caused by the controls. The charges are determined by the decree of the Ministry of Agriculture and Forestry on the costs for Evira's services ([1425/2014](#)). The decree is

written in Finnish and Swedish. The tariffs are also found on Evira's internet pages.

Customs charges fees for their inspections and laboratory analyses in accordance with the valid decree on the Custom Authority's services.



