

ANNEX F

Organic agriculture (Art. 11)

ARTICLE 1

Objectives

Without prejudice to their obligations with regard to products not originating in the Member States or other legislative provisions in force, the Member States undertake, in accordance with the principles of non-discrimination and reciprocity, to foster trade in organically produced agricultural products and foodstuffs from the Member States complying with the legal acts listed in Appendix 1.

ARTICLE 2

Scope

1. This Annex shall apply to organically produced plant products and foodstuffs complying with the legal acts listed in Appendix 1.
2. The Member States undertake to extend the scope of this Annex to livestock, animal products and foodstuffs containing ingredients of animal origin once they have adopted the relevant laws and regulations.

ARTICLE 3

Principle of equivalence

1. The Member States hereby recognise the legal acts listed in Appendix 1 to this Annex as equivalent. The Member States may agree to exclude certain aspects or products from the equivalence arrangements. They shall specify this in Appendix 1.
2. The Member States shall do their utmost to ensure that the legal acts specifically covering products as referred to in Article 2 develop along equivalent lines.

ARTICLE 4

Free movement of organic products

1. In accordance with their internal procedures in this area, the Member States shall take the necessary measures so that products as referred to in Article 2 and complying with each other's legal acts listed in Appendix 1 can be imported and placed on the market.
2. This shall include access to their respective national signs of conformity, official logos or seals used for organic products for all products as referred to in Article 2 and complying with each other's legal acts listed in Appendix 1.

ARTICLE 5

Labelling

1. With a view to developing arrangements to prevent the relabelling of organic products covered by this Annex, the Member States shall do their utmost to ensure that their laws and regulations provide for:
 - (a) the protection of the same terms designating organic products in their various official languages;
 - (b) the use of the same compulsory terms in declarations on the labelling of products meeting equivalent conditions.
2. The Member States may specify that products imported from each other meet the requirements on labelling laid down in their legal acts listed in Appendix 1.

ARTICLE 6

Third States

1. The Member States shall do their utmost to ensure that the import arrangements applicable to organically produced products from third States are equivalent.
2. With a view to ensuring equivalence in practice as regards recognition in the case of third States, the Member States shall consult each other before they recognise and include any third State in the list drawn up to that end in their laws and regulations.

ARTICLE 7

Exchange of information

Member States shall in particular send each other the following information:

- (a) lists of their competent authorities and inspection bodies and the code numbers thereof, and reports on surveillance by the authorities responsible therefor;
- (b) lists of administrative decisions authorising imports of organically produced products from third States;
- (c) details of observed irregularities and infringements of the legal acts listed in Appendix 1.

ARTICLE 8

Committee on organic products

1. The Council shall establish a Committee on Organic Products (hereinafter referred to as the “Committee”), which shall consider all matters which may arise in connection with this Annex and its implementation.

2. The Committee shall periodically consider the state of the respective laws and regulations of the Member States in the fields covered by this Annex. It shall be responsible in particular for:

- (a) verifying that the Member States’ laws and regulations are equivalent with a view to their inclusion in Appendix 1;
- (b) recommending to the Council, where necessary, that the requisite rules be included in Appendix 2 with a view to ensuring consistent application of the laws and regulations covered by this Annex in the territory of the Member States;
- (c) recommending to the Council that the scope of this Annex be extended to products other than those covered by Paragraph 1 of Article 2;
- (d) recommending to the Council to amend the provisions of the Appendices.

APPENDIX 1

Regulations applicable in the EEA EFTA States

National regulations introduced pursuant to the following acts, as incorporated in the EEA Agreement:

Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 198, 22.7.1991, p. 1), as last amended by Commission Regulation (EC) No 1900/98 of (OJ L 247, 5.9.1998, p. 6).

Commission Regulation (EEC) No 94/92 of 14 January 1992 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 11, 17.1.1992, p. 14).

Commission Regulation (EEC) No 3457/92 of 30 November 1992 laying down detailed rules concerning the inspection certificate for imports from third countries into the Community provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 350, 1.12.1992, p. 56).

Commission Regulation (EEC) No 207/93 of 29 January 1993 defining the content of Annex VI to Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and laying down detailed rules for implementing the provisions of Article 5(4) thereof (OJ L 25, 2.2.1993, p. 5), as last amended by Regulation (EC) No 345/97 (JO L 58, 27.2.1997, p. 38).

Regulations applicable in Switzerland

Ordinance of 22 September 1997 on organic farming and the labelling of organically produced plant products and foodstuffs (Ordinance on organic farming), as last amended on 23 August 2000 (RO 2000 1625).

Ordinance of the Swiss Federal Department of Economy of 22 September 1997 on organic farming, as last amended on 23 August 2000 (RO 2000 1625).

Exclusion from the equivalence arrangements

Swiss products based on ingredients produced under the arrangements for conversion to organic farming.

APPENDIX 2

Rules of application

- no entries -
