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EUROPEAN COMMISSION

欧洲委员会

DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

欧洲农业与农村发展总司

Directorate B – Sustainability B 部 - 可持续性

The Director 主任

Brussels 布鲁塞尔

AGRI B4/HD/ant/agri.b.4(2024)9766807

Dear Sir / Dear Madam,

尊敬的先生/尊敬的女士,

 DG AGRI has, together with the Group of Experts on Organic Production, assessed the information in the Organic Farming Information System (OFIS). This has led to the conclusion that, in 2025, additional control and reporting measures are necessary for certain imported products.

DG AGRI 与有机生产专家小组一起评估了有机农业信息系统 (OFIS) 中的信息。这导致得出结论,到 2025 年,对某些进口产品需要采取额外的控制和报告措施。

2. The present letter is therefore addressed to all control authorities and control bodies recognised in accordance with Article 46 of Regulation (EU) 2018/848 (1) and listed in Annex II of Commission Implementing Regulation (EU) 2021/1378 (2).

本函因此致所有根据《欧盟条例》 (EU) 2018/848 第 46 条 (1) 认可并在欧盟执行条例 (EU) 2021/1378 附件 II 中列出的控制当局和控制机构。

- 3. Scope of the additional Control measures 额外控制措施的范围
- 1. Concerned products 相关产品

The reassessment of the risk of occurrence of non-compliances ⁽³⁾ has led to the conclusion that additional control measures should be applied. This means that <u>from 1 January 2025 until 31 December 2025</u> at least the following additional control measures as regards products originating in and imported directly from one of the countries below

非合规发生风险的重新评估 (3) 导致得出结论,应采取额外的控制措施。这意味着从 2025 年 1 月 1 日至 2025 年 12 月 31 日,至少应采取以下针对以下国家原产并直接从这些国家进口的产品额外的控制措施。

 Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj.

欧盟议会和理事会 2018 年 5 月 30 日关于有机生产和有机产品标签的条例 (欧盟) 2018/848,以及废除理事会条例 (EC) 第 834/2007 号 OJ L 150, 2018 年 6 月 14 日,第 1 页, ELI: http://data.europa.eu/eli/reg/2018/848/oj.

2. Commission Implementing Regulation (EU) 2021/1378 of 19 August 2021 laying down certain rules concerning the certificate issued to operators, groups of operators and exporters in third countries involved in the imports of organic and in-conversion products into the Union and establishing the list of recognised control authorities and control bodies in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council, OJ L 297, 20.8,2021, 欧盟执行条例 (EU) 2021/1378, 2021 年 8 月 19 日, 规定有关颁发给在欧盟进口有机和转换产品中的第三方国家运营商、运营商集团和出口商的证书的某些规则,并根据欧洲议会和理事会条例 (EU) 2018/848 建立认可的控制机构和控制机构的名单, 官方公报 L 297, 2021 年 8 月 20 日 p. 24, ELI: http://data.europa.eu/eli/reg_impl/2021/1378/oj

p. 24, ELI: http://data.europa.eu/eli/reg_impl/2021/1378/oj.

3.

The frequency of physical controls must depend on the likelihood of non-compliances as laid down in Article 45(5) of Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) 834/2007 and Article 6 of Commission Delegated Regulation (EU) 2021/2306 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the official controls in respect of consignments of organic products and in- conversion products intended for import into the Union and on the certificate of inspection, OJ L 461, 27.12.2021, p. 13, ELI: http://data.europa.eu/eli/reg_del/2021/2306/oj.

物理检查的频率必须取决于不符合规定的可能性,如欧洲议会和理事会 2018 年 5 月 30 日关于有机生产和有机产品标签以及废除理事会法规 (EC) 第 834/2007 号和委员会委托法规 (EU) 第 2021/2306 号第 6 条的 (EU) 2018/848 号法规第 45 (5) 条所规定。关于有机产品批次和拟进口到联盟的转化产品的官方检查规则以及检验证书,官方期刊 L 461, 2021 年 12 月 27 日,第 13 页,ELI: http://data.europa.eu/eli/reg_del/2021/2306/oj.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111

欧洲委员会/欧洲委员会,布鲁塞尔/布鲁塞尔,比利时/比利时 - 电话 +32 22991111 or via another third country are necessary to ensure compliance of products with Article 45 of Regulation (EU) No 2018/848 ⁽⁴⁾.

或通过另一个第三国进行,以确保产品符合《欧盟条例》(EU)2018/848 号第 45 条的规定(4)。 These control measures are without prejudice to the basic obligations to carry out a minimum percentage of additional controls and take a minimum number of samples based on a risk assessment ⁽⁵⁾. 这些控制措施不妨碍执行最低百分比额外控制和基于风险评估(5)的最小样本量等基本义务。 These additional control measures should be applied exclusively to the following products and the operators producing, preparing, trading, storing or exporting organic food and feed with the following CN-codes ⁽⁶⁾: 这些附加控制措施应仅适用于以下产品以及生产、准备、交易、储存或出口带有以下(6 个)CN 码的有机食品和饲料的操作员

Country of origin 原产国		CN code(s) (⁷) CN 代码(7)	Taric subheadings (where applicable)	Percentage of consignments subject to checks and sampling in third country 检查和抽样货物的百分比第 三国
China 中国		0910 11 00 2006 00 10		10%
China 中国	Peanuts 花生	1202 42 00		10%
China 中国	Pumpkin seeds 南瓜籽	ex1207 99 96 ex1209 91 80 ex1212 99 95	10	10%

China	Soy			
中国	大豆	2304 00 00		10%
		0902 10 00		
China	Tea	0902 20 00		20%
中国	茶	0902 40 00		
Dominican Republic	Bananas	0803 90 11		
多米尼加共和国	香蕉	0803 90 19		5%
Ecuador	Bananas	0803 90 11		
厄瓜多尔	香蕉	0803 90 19		5%
Egypt	Onions	0703 10 19		10%
埃及	洋葱			
Honduras	Coffee	0901 11 00		100/
洪都拉斯	咖啡	0901 21 00		10%
Paraguay	GI :	400-000		100/
巴拉圭	Chia	ex1207 99 96		10%
Peru	Bananas	0803 90 11		5 0.
秘鲁	香蕉	0803 90 19		5%
Peru	Ginger	0910 11 00	10%	
秘鲁	姜			
		0902 10 00		
Sri Lanka	Tea	0902 20 00		100/
斯里兰卡	茶	0902 30 00		10%
		0902 40 00		

- 4. Regulation (EU) No 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007, OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj. 欧盟议会和理事会 2018 年 5 月 30 日第 2018/848 号法规,关于有机生产和有机产品标签,以及废除理事会第 834/2007 号法规,官方公报 L 150,2018 年 6 月 14 日,第 1 页,ELI: http://data.europa.eu/eli/reg/2018/848/oj.
- 5. Article 16 of Commission Delegated Regulation (EU) 2021/1698 of 13 July 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies, OJ L 336, 23.9.2021, p. 7, ELI: http://data.europa.eu/eli/reg_del/2021/1698/oj.
 - 第 16 条委员会委托法规(欧盟)2021/1698 号,2021 年 7 月 13 日,补充欧洲议会和理事会法规(欧盟)2018/848 号,关于承认有权对有机认证运营商和运营商群体以及第三国有机产品进行控制的监管机构和监管机构程序要求,以及关于其监督和监管机构及监管机构应执行的控制和其他行动的规定,官方公报 L 336,2021 年 9 月 23 日,第 7 页,ELI: http://data.europa.eu/eli/reg_del/2021/1698/oj.
- 6. <u>See http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:111003</u> 查看 http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:111003
- 7. Where only certain products under any CN code are required to be examined, the CN code is marked as 'ex'. 仅对任何 CN 代码下的特定产品要求进行检验时,CN 代码标记为 "ex" 。

		2106 90 92		
Türkiye 土耳其	Lentils 扁豆	0713 40 00		10%
Türkiye 土耳其	Pomegranates 石榴	ex0810 90 75 ex0811 90 95 ex2009 89 99	30	30%
Türkiye 土耳其	Sultanas 无花果干	0806 20 30		10%

1.2 Sampling percentages

1.2 样本百分比

8.For the products defined in section 1.1, the control authorities and control bodies should carry out additional sampling for consignments applying the minimum sampling percentages as stipulated in the table above, for the products in the abovementioned list.

8.对于第 1.1 节中定义的产品,控制机构和控制主体应对上述列表中的产品执行额外抽样,采用表格中规定的最低抽样百分比。

4. Nature of the additional Control measures

额外控制措施的性质

1. Sampling and analysing for presence of non-authorised substances (8)

采样和分析是否存在未经授权的物质(8)

For consignments ⁽⁹⁾ of products sampled according to the percentages defined in section 1, the control body should take at least one representative sample of the consignment. Sampling should be done by <u>using the methods</u> as described in Commission Regulation (EU) No 691/2013 on the sampling methods to be used for official control of feed ⁽¹⁰⁾ and Commission Directive 2002/63/EC establishing Community methods of sampling for the official control of non-authorised substances in and on products of plant and animal origin ⁽¹¹⁾. These samples should be analysed for the presence of non-authorised substances in a laboratory accredited to the analytical methods used. The analytical methods to be used should cover all the relevant non-authorised substances, including ethylene oxide, as defined by expert knowledge. This implies that, inter alia, the appropriate specific analytical methods – including single-residue methods where relevant – should be applied to detect non-authorised substances. The results of the analysis or the tests carried out on the samples taken should be included in the sampling report and contain the identification of the consignment: lot number and, when available, number of the certificate of inspection (COI). The control body should not issue the certificate of inspection before it has received and assessed the result of these analyses.

对于根据第 1 节中定义的百分比抽取的产品样品 (9) ,控制机构应至少从该批货中抽取一个代表性样品。抽样应按照《委员会法规》 (EU) 第 691/2013 号关于官方控制饲料的抽样方法以及委员会指令 2002/63/EC 中规定的官方控制植物和动物源性产品中非授权物质的方法进行。这些样品应在获得分析方法的认可实验室进行分析,以检测非授权物质的存在。应使用涵盖所有相关非授权物质的分析方法,包括乙二醇,如专家知识所定义。这意味着,包括相关单残留物方法在内,应适用适当的特定分析方法来检测非授权物质。 分析或测试所取样品的结果应包含在采样报告中,并包含货物的识别:批号,以及如有可用,检验证书 (COI) 编号。控制机构在收到并评估这些分析结果之前不得颁发检验证书。

The sampling report of a consignment should be introduced in TRACES. Please bear in mind that, according to Article 5(2) of Commission Delegated Regulation 2021/2306 $^{(12)}$, sampling results should be uploaded in TRACES along with

托运样品的采样报告应在 TRACES 中介绍。请注意,根据委员会委托法规 2021/2306 (12) 第 5 (2) 条,采样结果应与 TRACES 一起上传。

- 1. This excludes the products referred to in Commission Implementing Regulation (EU) No 2021/1165 of 这排除了委员会执行条例 (EU) 第 2021/1165 号中提到的产品

 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists.

 OJ L 253, 16.7.2021, p. 13, http://data.europa.eu/eli/reg impl/2021/1165/oj.

 2021 年 7 月 15 日授权某些产品和物质在有机生产中使用并建立其清单,官方期刊 L 253,2021 年 7 月 16 日,第 13 页,http://data.europa.eu/eli/reg_impl/2021/1165/oj.
- 2. The definition of consignment is set out in Article 2(5) of Commission Implementing Regulation (EU) 2021/2307 of 21 October 2021 laying down rules on documents and notifications required for organic and in-conversion products intended for import into the Union, OJ L 461, 27.12.2021, p. 30, http://data.europa.eu/eli/reg_impl/2021/2307/oj. 寄售的定义在《欧盟委员会执行条例》(EU)2021/2307 第 2 条第 5 款中规定,该条例于 2021 年 10 月 21 日发布,规定了有机产品和转换产品进口到联盟所需的文件和通知规则,官方期刊 L 461, 2021 年 12 月 27 日,第 30 页,http://data.europa.eu/eli/reg_impl/2021/2307/oj。
- 3. Commission Regulation (EU) No 691/2013 of 19 July 2013 amending Regulation (EC) No 152/2009 as regards methods of sampling and analysis, OJ L 197, 20.7.2013, p. 1, http://data.europa.eu/eli/reg/2013/691/oj 欧盟委员会法规(EU)第 691/2013 号, 2013 年 7 月 19 日, 关于修改(EC)第 152/2009 号法规的 采样和分析方法,官方公报 L 197, 2013 年 7 月 20 日, 第 1 页, http://data.europa.eu/eli/reg/2013/691/oj.
- 4. Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC, OJ L 187, 16.7.2002, p. 30, http://data.europa.eu/eli/dir/2002/63/oj.

 2002 年 7 月 11 日颁布的委员会指令 2002/63/EC, 建立关于植物和动物源性产品中农药残留官方控制的共同体采样方法,并废除指令 79/700/EEC, 官方公报 L 187, 2002 年 7 月 16 日,第 30 页,http://data.europa.eu/eli/dir/2002/63/oj.
- 5. Commission Delegated Regulation (EU) 2021/2306 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the official controls in respect of 欧盟委员会委托法规(EU) 2021/2306,补充欧洲议会和理事会法规(EU) 2018/848 关于官方控制的规定 commercial and transport documents. This information, among the information to be submitted in the Annual Report mentioned below, will be used for the supervision by DG AGRI. 商业和运输文件。以下年度报告中需提交的信息中,此信息将被用于 DG AGRI 的监管。

2. Controls 控制

- 1. The control body or control authority should carry out 2 physical inspections per year of each operator involved in producing, preparing, trading, storing or exporting organic products listed under section 1 it intends to certify. One of these inspections should be unannounced.
 - 控制主体或控制当局应每年对每个参与生产、准备、交易、储存或出口第 1 节所列有机产品的运营商进行 2 次实地检查。其中一次检查应为突击检查。
- 2. On a farm that is certified for the first time, the control authority or control body should carry out the first inspection of each parcel before cultivation measures on that parcel in order to be able to certify the product.

- 在一个首次获得认证的农场,控制机构或控制部门应在该地块实施栽培措施之前,对该地块进行首次检查,以便能够认证该产品。
- 3. The control body or control authority should take at least one field crop sample each year at each operator as defined in point a. The sample should be taken from crops in the field, at the most appropriate moment to detect the potential use of non-authorised substances according to expert knowledge. The sample should be analysed as set out in point 2.1. For operators not growing crops, a relevant sample of incoming raw material, intermediate product or processed product should be taken.
 - 控制主体或控制当局应按照第 a 点所述,在每位运营商处每年至少采集一个田地作物样本。样本应从田间作物中采集,在专家知识下检测非授权物质潜在使用的最合适时机。样本应按照第 2.1 点所述进行分析。对于不种植作物的运营商,应采集相关原料、中间产品或加工产品的样本。
- 4. The control body or control authority should pay utmost attention to the verification of the product flows and traceability established by each operator as defined point a. It should also verify the quantities harvested and/or prepared, the means of storage and transport of the goods, including the possible application of non-authorised substances at these stages.
 - 控制主体或控制当局应密切关注每个操作者根据定义的第 a 点建立的产品流动和可追溯性验证。还应验证收获和/或准备的数量、货物的储存和运输方式,包括在这些阶段可能使用未经授权的物质。
- 5. The control body or control authority should analyse in depth the bookkeeping and financial documentation of each operator as defined in point a, for which it intends to certify products. The control body or control authority should systematically verify the destination of all the products harvested and/or prepared at the farm it certifies, regardless of whether these crops are sold as organic or not or are exported or not. This includes the quantities and the names of the buyers.
 - 控制机构或控制当局应深入分析每个操作者根据第 a 点定义的账簿和财务文件,对于其打算认证的产品。控制机构或控制当局应系统地核实其认证的农场收获和/或准备的所有产品的目的地,无论这些作物是否作为有机产品销售或出口。这包括购买者的数量和名称。
- 6. As stipulated in Article 4 of Delegated Regulation (EU) 2021/2306, the control body or control authority should issue the certificate of inspection before the shipment leaves the third country of origin or of export. 根据《欧盟委托法规(EU)2021/2306》第 4 条的规定,控制机构或控制当局应在货物离开原产国或出口国的第三国之前签发检验证书。
- 7. Before issuing the certificate of inspection, the control body or control authority should carry out systematic documentary checks in accordance with Article 3 of Delegated Regulation (EU) 2021/2306 verifying: 在颁发检验证书之前,控制机构或控制当局应根据《委托法规(欧盟)2021/2306》第 3 条进行系统性的文件审查,以核实:
- 1. the traceability of the products and ingredients;

产品及成分的可追溯性

- consignments of organic products and in-conversion products intended for import into the Union and on the certificate of inspection, OJ L 461, 27.12.2021, p. 13, <u>ELI: http://data.europa.eu/eli/reg_del/2021/2306/oj.</u> 有机产品和非转换产品寄售,旨在进口到联盟,并在检验证书上,OJ L 461, 2021 年 12 月 27 日,第 13 页,ELI: http://data.europa.eu/eli/reg_del/2021/2306/oj.
- 2. that the volume of the products included in the consignment is in line with the mass balance checks of the respective operators according to the assessment carried out by the control authority or control body; 该寄售产品体积与控制机构或控制部门进行的评估一致,符合各自操作者的质量平衡检查
- 3. the relevant transport documents and commercial documents (including invoices) of the products. 相关运输文件和商业文件(包括发票)的产品。

At simple request, the control body or control authority must send this traceability documentation to the control body of the importer concerned and to the Competent Authorities of the importing country. In case of a complex supply chain a transparent flow chart must be added to that documentation unequivocally presenting both the flow of the goods and the financial flow.

在简单请求下,控制机构或控制当局必须将此可追溯性文件发送给相关进口商的控制机构以及进口国的主管当局。在复杂的供应链情况下,必须添加一个透明的流程图,明确展示商品流动和财务流动。

At least points a) and c) should also be applied to new and other operators who cultivate fields that are in conversion to organic farming.

至少应将 a) 和 c) 点也应用于培养正在转向有机农业的田地的新的和其他运营商。

5. Exchange of information 信息交换

Where operators and/or their subcontractors change their control body, the new control body must verify and ensure that non-conformities noted in the control file forwarded by the previous control body have been completely and effectively addressed by the operator ⁽¹³⁾.

操作员及其分包商更换控制主体时,新控制主体必须核实并确保由前一控制主体转发的控制文件中记录的不合格项已被操作员完全有效地解决(13)。

The control bodies must carefully evaluate the situation where a certification decision on such an operator has to be made. DG AGRI will take all necessary supervisory actions to ensure that control bodies have done this effectively.

控制机构必须仔细评估必须对这种运营商做出认证决定的情况。农业总司将采取所有必要的监管措施,以确保控制机构有效地执行了这一任务。

6. Reporting 报告

In accordance with Article 3 of Commission Delegated Regulation 2021/1698 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies (14), the Commission services request the implementation of these recommendations to be documented and made available in a report.

根据欧洲议会和理事会法规(EU)2018/848 的第 3 条,补充规定委员会委托法规 2021/1698,关于承认有权对在第三国进行有机操作者和操作者群体以及有机产品进行控制的控制机构和控制机构,以及关于其监督和控制机构及控制机构应执行的其他行动的规定(14),委员会服务要求将这些建议的实施记录在案,并在报告中提供。

This report must be included in the annual report referred to in Article 4 of Delegated Regulation 2021/1698 and include at least the following information:

本报告必须包含在《2021/1698号委托法规》第4条所指的年度报告中,并至少包括以下信息:

- 1. The list of the operators under your control in the countries mentioned above.
 - 上述国家中您控制的操作员名单。
- Article 21(5) of Commission Delegated Regulation (EU) 2021/1698.
 第 21(5)条委员会委托法规(欧盟) 2021/1698。
- Commission Delegated Regulation (EU) 2021/1698 of 13 July 2021 supplementing Regulation (EU) 2018/848 of
 the European Parliament and of the Council with procedural requirements for the recognition of control authorities
 and control bodies that are competent to carry out controls on operators and groups of operators certified organic

and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies, OJ L 336, 23.9.2021, p. 7,

ELI: http://data.europa.eu/eli/reg_del/2021/1698/oj.

欧盟委员会委托法规 (EU) 2021/1698 号, 2021 年 7 月 13 日, 补充欧洲议会和理事会法规 (EU) 2018/848, 关于承认有权对有机认证运营商和运营商群体以及第三国有机产品进行控制的监管机构和监管机构程序要求,以及关于其监督和监管机构及监管机构应执行的控制和其他行动的规定,官方公报 L 336, 2021 年 9 月 23 日,第 7 页, ELI: http://data.europa.eu/eli/reg_del/2021/1698/oj.

2. For each operator and for the period starting on 1 January 2025 and ending on 31 December 2025: 对于每个运营商以及从 2025 年 1 月 1 日开始至 2025 年 12 月 31 日结束的期间:

1. the inspections carried out, indicating the date of each inspection;

该次检查执行情况, 表明每次检查的日期;

2. the sampling and analyses carried out;

所进行的采样和分析

3. the non-compliances found;

发现的不合规项;

4. the corrective measures and/or sanctions applied;

采取的纠正措施和/或制裁

5. the Certificates of Inspection signed;

检验证书已签署

6. for each operator who changed its control body, the corrective measures and/or sanctions applied if non-conformities were noted in the report of the previous control body.

对于每个更改其控制主体的运营商,如果在先前控制主体的报告中发现不符合规定,将采取纠正措施和/或处罚。

3. As regards consignments subject to the additional official controls in accordance with this letter:

关于本函规定的额外官方控制范围内的货物:

1. COI reference for imported consignments;

进口寄售商品的 COI 参考

2. overview of sampling analysis results which indicate presence of non- authorised substances, if any;

概述采样分析结果, 如有, 表明存在非授权物质

3. investigations and follow-up measures taken by the control body in case of non-authorised substances found in the consignment, including the decision concerning the consignment e.g. downgrading the consignment to conventional, not issuing a COI etc., as well as confirmation that the operator has taken corrective measures. 对托运中发现非授权物质的控制机构进行的调查和采取的后续措施,包括关于托运的决定,例如将托运降级为常规,不颁发 COI 等,以及确认运营商已采取纠正措施。

Yours faithfully,

敬上

Gijs SCHILTHUIS

吉斯•施利特胡伊斯

c.c.: List of Accreditation bodies

抄送: 认证机构列表