aCert
European Organization for Certification

CERTIFICATION REGULATION

for the production of Organic Products in Third Countries Compliant to Regulation (EU) 2018/848 and the Commission Implementing and Delegated Regulations as amended and in force

Article 1
Scope

Certification Regulation refers to the control system that A CERT implements in Third Countries. It describes the control measures that A CERT applies in operators located in Third Countries according to A CERT organic inspection and certification scheme and labeling requirements of organic products in compliance with Regulation (EU) 2018/848, Regulation (EU) 2017/625, Regulation (EU) 2021/1698 on organic production and labelling of organic products and the Commission Implementing and Delegated Regulations, as amended and in force.

Integral part of the present regulation is ICS-BIO3CC_D1.49 Annex to Certification Regulation.

Article 2
The Inspection and Certification Body A CERT European Organization for Certification SA

1. The Inspection and Certification Body under the name A CERT European Organization for Certification S.A. (hereinafter referred to as A CERT or Control Body) was founded in Thessaloniki in 2005 under the legal form of an S.A. operator (Société Anonyme). A CERT's main activity is the performance of audits and the certification of products and management systems.

2. A CERT's objectives:

   - The promotion of sustainable development and organic agriculture
   - Environment's protection
   - Assurance of the production of high level consuming products for the consumers' sake.
   - Maintenance of confidentiality, objectivity and impartiality

3. A CERT's operational principles:

   a. Confidentiality-Confidence

      A CERT shall treat all information obtained from the operators during the inspection and certification process as confidential. Information shall be exchanged between A CERT and third parties upon the operator's written consent unless otherwise required by the relevant regulatory framework, the legislation and/or A CERT's control system to which the operator subject. In case of updates by the control and supervisory authority regarding the current legislation, A CERT shall inform the operator accordingly.

   b. Impartiality - Objectivity

      A CERT is not involved in the supply, design and/or marketing of the certified products. Furthermore, A CERT is not involved in the provision of consulting services. A CERT's internal and external personnel is not subject to any commercial, economical or other type of pressure that could influence its judgment. A CERT provides to the interested operators information regarding the interpretation of the certification process. A CERT's certification system is monitored by the control and supervisory authorities. A CERT's internal audit is effected by the Independence Control Committee (I.C.C.) which is a collective body that is constituted following A CERT's invitation to the members. The Committee is an independent body that performs A CERT's internal control and convenes once per year, according to its Operation Regulation. The Committee is constituted in such a manner that any individual interest does not prevail, while all interested parts have the opportunity to participate. In addition to its monitoring function, the Committee also contributes to the creation of policy and principles with regard to the certification system.

   c. Transparency

      A CERT's procedures ensure the transparency through the publication of various types of information to which all interested parts have free access. These publications include, indicatively and not restrictively, the present Certification Regulation and the Registration List of the certified operators. Moreover, the published documents and all information required are submitted to the competent authorities, in order to ensure A CERT's compliance to the current legislation.

   d. A CERT reserves the right to not proceed with the certification process if during the audit A CERT finds out that the safety of the products is jeopardized and the legislation for food production, storage and distribution is violated.

   e. The requirements, the evaluation and certification decision the Control Body are restricted to issues that are strictly

related to the certification scope in question.

Article 3
Definitions

The definitions laid down in Article 3 of Regulation (EU) 2018/848 on organic production and labelling of organic products shall apply for the purposes of the present Certification Regulation and its Annexes.

Article 4
Audit, Certification and Surveillance

A. The registration procedure includes:

1. Application:
All interested operators have the right to apply for certification. Interested operators receive from the certification Body, or via the certification body's web site (www.a-cert.org), information which includes:

a) the Certification Regulation;
b) the relevant Annex of the Certification Regulation, according to requested type of certification;
c) the relevant Price List, according to the requested certification type;
d) the Application Form;
e) the document Declaration – Description of the operator with respect to the requested certification type and all other relevant documents.

Furthermore, Regulation (EU) 2018/848 is included in A CERT's website. All interested parties may also receive A CERT's above mentioned documents via email or by post at their own expenses.

The interested party fills in and sends to A CERT the documents mentioned in points d and e. This procedure also applies in case the certification scope is modified (extension or reduction).

In case the interested party is already certified by another Control Body, A CERT requests for a copy of the operator's files by the previous Control Body. Afterwards, the certification procedure applied in initial certification cases is followed. An operator is not allowed to have valid certification agreements with more than one control body for the same scope at the same period of time.

2. Contract Signing:

Following the approval of the application by the General Manager and within 30 days from its submission, the interested party and more specifically its legal representative is requested to sign the contract with the Control Body. The purpose of the contract is the definition of the contractual obligations of the parties, for the effective implementation of Regulation (EU) 2018/848 in order to produce reliable organic products and protect the environment. According to the contract the Control Body undertakes the obligation to inspect the operator's facilities in compliance with the applicable national and EU Legislation by conducting at least one on site audit per year, which contributes to the sustainable management of the land and the production of organic products. The contracted operator undertakes the obligation to meet the requirements of Regulation (EU) 2018/848 and the Commission Implementing and Delegated Regulations, as currently in force.

The following documents constitute an integral part of the operator's contract:
a) the present Regulation Certification;
b) the Annex of the Certification Regulation related to the requested certification scope;
c) the trademark and labeling regulation regarding the use of the certification logo, which is received by the client before the contract signing;
d) the Pricelist and a price analysis related to the requested certification scope, where the exact payable amount and the payment method are stated. In case of plant production the list of fields is also attached.

After signing the contract the operator is registered in the inspection and certification system of the Control Body and to A CERT's registry of operators, where it remains until the certification is granted. If applicable, the contracted operator must report the commencement of its activities in organic farming within ten (10) days from the contract signing to the relevant Authority of the country where the operator is located. A certified copy of this acknowledgement has to be provided to the Control Body for record keeping.

3. Inspections:

Within 12 months from the signing of the certification agreement, the Control Body conducts an on-site inspection according to Regulation (EU) 2018/848 and the inspection procedure of the Control Body, in order to:

- verify the submitted Declaration-Description form and the information provided with the operator's application;
- evaluate the operator's activities according to ISO/IEC 17065 Standard and the requirements of Regulation (EU) 2018/848 pertaining to the organic production and determine whether the requirements of the

current national and European legislation for organic production are met;
- identify any non-conformities and request the implementation of corrective actions in order to remedy the respective non-conformities and ensure the operator's compliance with the relevant EU Regulations for the requested certification scope.

The inspection date is arranged by the Control Body taking into consideration the operator's availability. The operator is being informed with respect to the final date of the inspection and the inspection team, which consists of one or more inspectors, at least 5 days before the inspection. In case of disagreement regarding the date, the inspection is re-arranged. However the new date cannot exceed 5 days from the inspection date initially notified to the operator. The operator may raise a written and justified objection with reference to a member or members of the inspection team. In case of acceptance of the objection by the Control Body, the member or members for which the objection was raised are being replaced. The operator must notify the Control Body for any objection, whether it refers to the inspection date or the inspection team, no later than 5 days prior to the inspection. During the inspection the consultant of the operator may be present, if the operator notifies the Control Body accordingly. The consultant has no right to participate in the inspection procedure.

The inspection for the initial submission to the control system includes:

- full on-site inspection of the registered production factors and production process;
- on-site inspection of the facilities;
- accounting documentation control;
- sampling in order to detect any non-authorised substances for the use in organic production in accordance with the relevant EU Regulations or to verify the use of techniques that do not comply with the respective EU Regulations, if applicable. Sampling is obligatory in case of suspicions for the use of non-authorised products;
- monitoring of precautionary measures that are taken to avoid contamination by non-authorized products or substances.

Upon completion of the inspection a report is completed which records the inspection results, the provisions of Regulation (EU) 2018/848 that were violated and the corresponding sanctions. Afterwards the lead inspector informs the inspected operator with respect to the outcome of the inspection by delivering a copy of the report. In case non-conformities are noted during the inspection, the operator must apply the required corrective actions within the deadline specified by the Control Body. The corrective actions are reviewed by the Control Body and potentially a new inspection takes place additionally. If the control body fails to remedy the non-conformities within the agreed period, this may result in the decertification of products and / or in the termination of the certification agreement concluded with the Control Body.

B. Certification:

All documentation gathered by the Control Body through the registration procedure and all other relevant documents that were also collected are being reviewed by an independent evaluator, who might also be a member of the Scientific Council. The evaluator fills in the evaluation report and decides to grant or not the certification.

Following the Certification Decision the operator is registered in A CERT's Registry of the certified operators and may receive a product certificate. Certificates cannot be issued for operators that failed to remedy all the non-conformities that were identified during the inspection. Granting the certification automatically means granting of the right to use the certification logos (Logo of the EU Commission and A CERT logo). The Control Body monitors the labeling of its certified organic products and has no liability regarding any other indications included in the labeling, to which the general legislative requirements apply.

The Integrity Control Committee monitors the proper certification granting.

C. Surveillance Inspections:

Following the certification granting A CERT conducts surveillance audits in order to safeguard the continuous satisfaction of the requirements of the Regulation and verify the compliance of the certified operator's activities with respect to organic production, preparation or import from third countries.

The surveillance includes:

1) Annual Inspections:

They are carried out according to the requirements of Regulation (EU) 848/2018 at least once a year and in any case within the current growing season of cultivated species for crop production; within the breeding year for animal production; and within the current preparation season for preparation operators. In case of announced audits the date is determined in consultation with the operator. In any case the inspection must be conducted within 5 days from the inspection date initially notified to the operator by the Control Body. The inspection team conducts a full physical inspection of the operator; checks the operator's accounting documentation; and potentially performs a sampling in accordance with Regulation (EU) 2018/848.

Overall, all operators and groups of operators, with the exception of those referred to in Articles 34(2) and 35(8) of Regulation (EU) 2018/848, shall be subject to a verification of compliance at least once a year. The verification of compliance shall include a physical on-the-spot inspection.

The period between two physical on-the-spot inspections shall not exceed 24 months only if the following conditions are met:

- the previous inspections of the operator or group of operators concerned have not revealed any non-compliance affecting the integrity of organic or in-conversion products during at least three consecutive years; and
- the operator or group of operators concerned has been assessed on the basis of the elements referred to in article 38(2) of Regulation (EU) 2018/848 and in article 9 of Regulation (EU) 2017/625 as presenting a low likelihood of non-compliance.

2) Additional inspections:

The selection of operators undergoing unannounced inspections each year shall be based on the risk analysis developed by the Control Body and inspections are planned in accordance with criteria that determine the level of risk. The Control Body shall ensure that each year additional inspections to at least 10% of all registered operators shall be carried out on a random basis in accordance with Regulation (EU) 2018/848 and Regulation (EU) 2021/279. A reason for and additional inspection may be any information that raises suspicions for the ineffective application of the requirements of the Regulation by an operator, or where there is a risk of substitution of organic products with products that are not being produced, prepared or imported from third countries in accordance with Regulation (EU) 2018/848 and the relevant regulatory framework, as currently in force. In addition, 10% of all inspections conducted annually shall be unannounced. Inspections of this kind are carried out without prior notice to the operator.

3) Sampling:

The Control Body carries out annual samplings to a percentage of all operators with certified products in accordance with Regulation (EU) 2018/848, Regulation (EU) 2021/1698 and Regulation (EU) 2021/279. At each sampling the personnel of the Control Body takes the sample and sends it to A CERT. The Control Body then forwards the sample for analysis in an accredited laboratory which is contracted with A CERT. For the sake of verifying the results counter samples are kept with the laboratory for up to 30 days. The exact time depends on the type of sample and the relevant substances for which the analysis is conducted. During all inspections the inspection team takes a sample for analysis in case of suspicions with respect to the use of non-authorized products or the likelihood of contamination by non-authorized products. In these cases the minimum number of samples (5% of the total number of operators) that need to be taken and analyzed does not apply.

4) In case of monitoring non-compliances during the surveillance inspection, depending on their extent and severity, the operator must take corrective actions within a specified timeframe set in consultation with the Control Body. The corrective measures will be reviewed by the Control Body. In this case additional inspection may be performed. If the operator fails to remedy the non-compliance within the agreed time, this may lead to sanctions enforcement.

Annual and unannounced inspections are carried out by the Control Body based on the general risk analysis at all stages of production, preparation and distribution taking into account at least the following criteria (Article 38 of Regulation (EU) 2018/848):

a) the type, size and structure of the operators and groups of operators;

b) the length of time during which operators and groups of operators have been involved in organic production, preparation and distribution;

c) the results of the inspections performed in accordance with this Article;

d) the point in time relevant for the activities carried out;

e) the product categories;

f) the type, quantity and value of products and their development over time;

g) the possibility of commingling of products or contamination with non-authorised products or substances;

h) the application of derogations or exceptions to the rules by operators and groups of operators;

(i) the critical points for non-compliance and the likelihood of non-compliance at every stage of production, preparation and distribution;

(j) subcontracting activities.

Article 5
Conversion

1. Products produced during the conversion period shall not be marketed as organic products or as in-conversion products.

However, the following products produced during the conversion period and in compliance with paragraph 1 of article 10 of Regulation (EU) 2018/848 may be marketed as in-conversion products:
(a) plant reproductive material, provided that a conversion period of at least 12 months has been complied with;
(b) food products of plant origin and feed products of plant origin, provided that the product contains only one agricultural crop ingredient, and provided that a conversion period of at least 12 months before the harvest has been complied with.

2. The conversion period of a farm on which organic production was started shall commence at the earliest when the operator has signed a Certification Agreement with A CERT and subjected his holding to the control system in accordance with Regulation (EU) 2018/848.

   i. during the conversion period all rules specified in Regulation (EU) 2018/848 apply;
   ii. For plants and plant products to be considered as organic products, the production rules laid down in this Regulation shall have been applied with respect to the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, during a period of at least two years before its use as organic feed, or, in the case of perennial crops other than forage, during a period of at least three years before the first harvest of organic products.

3. A CERT may decide to recognize retroactively as being part of the conversion period any previous period in which the farm parcels were natural or agricultural areas which were not treated with products not authorized for use in organic production. This period may be taken into consideration retroactively only where satisfactory evidence has been submitted to A CERT proving that the conditions were met for a period of at least three years.

4. In order to determine the conversion period referred to above, the following conditions shall coincide:

   i. A CERT will only review applications for retroactive recognition of a conversion period, if the operator submits a written declaration requesting so. In such cases, the burden of proof lies on the operator.
   ii. A CERT is not obligated to recognize any period immediately preceding the date of the start of the conversion period, if no satisfactory evidence was submitted by the applicant.
   iii. In case an operator registered in the control system requests for retroactive recognition of any previous time period as part of the conversion period, in parcels the request is submitted to A CERT and must be accompanied by the relevant documentation, as described in Regulation (EC) 2020/464.
   The Control Body after evaluating the request and if it is in agreement, grants the respective retroactive recognition

5. A CERT may decide, in certain cases, where the land or one or more parcels thereof have been contaminated with products or substances not authorised for use in organic production, to extend the conversion period for the land or parcels concerned beyond the period referred to in paragraph 1(ii) in the case of parcels which have already been converted to or were in the process of conversion to organic farming, and which are treated with a product not authorized for organic production. In this case, the length of the conversion period shall be decided taking into account of the following factors:

   i. the process of degradation of the product concerned shall guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;
   ii. the harvest following the treatment may not be sold with reference to organic production methods. A CERT shall inform the other Control Bodies operating in the specific Third Country and the European Commission of its decision to require compulsory measures.

Article 6

Parallel Production

1. A plant production operator may run organic and non-organic production units in the same area, only for perennial crops, which require a cultivation period of at least three years, where varieties cannot be easily differentiated and only if the following conditions are met:

   i. the production in question forms part of a conversion plan in respect of which the producer gives a firm undertaking and which provides for the beginning of the conversion of the last part of the area concerned to organic production in the shortest possible period which may not in any event exceed a maximum of five years;
   ii. appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned;
   iii. A CERT is notified of the harvest of each of the products concerned at least 48 hours in advance;
   iv. upon completion of the harvest, the producer informs A CERT of the exact quantities harvested on the units concerned and of the measures applied to separate the products;

v. the conversion plan and the control measures referred to in Regulation (EU) 2018/848 and Regulation (EU) 2021/1698 have been approved by A CERT; this approval shall be confirmed each year after the start of the conversion plan;

2. Apart from producers, the above mentioned conditions may also apply:

i. in the case of areas intended for agricultural research or formal education agreed with A CERT;
ii. in the case of production of seed, vegetative propagating material and transplants and
iii. in the case of grassland exclusively used for grazing.

Article 7

Authorisations for the use of non-organic plant reproductive material

1. For the production of plants and plant products other than plant reproductive material, only organic plant reproductive material shall be used.

2. To obtain organic plant reproductive material to be used for the production of products other than plant reproductive material, the mother plant and, where relevant, other plants intended for plant reproductive material production shall have been produced in accordance with Regulation (EU) 2018/848 for at least one generation, or, in the case of perennial crops, for at least one generation during two growing seasons.

3. A CERT may authorise operators producing plant reproductive material for use in organic production to use non-organic plant reproductive material, when mother plants or, where relevant, other plants intended for the production of plant reproductive material and produced in compliance with paragraph 2 of this Article are not available in sufficient quantity or quality, and to place such material on the market for use in organic production provided that the following conditions are met:

(a) the non-organic plant reproductive material used has not been treated after harvest with plant protection products other than those authorised in accordance with Article 24(1) of Regulation (EU) 2018/848, unless chemical treatment has been prescribed in accordance with Regulation (EU) 2016/2031 for phytosanitary purposes by the competent authorities of the Member State concerned for all varieties and heterogeneous material of a given species in the area in which the plant reproductive material is to be used. Where non-organic plant reproductive material treated with such prescribed chemical treatment is used, the land parcel on which the treated plant reproductive material is growing shall be subject, where appropriate, to a conversion period as provided in points 1.7.3 and 1.7.4 of Part I of Annex II to Regulation (EU) 2018/848;
(b) the non-organic plant reproductive material used is not a seedling of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product;
(c) the plant reproductive material is grown in compliance with all other relevant organic plant production requirements;
(d) the authorisation to use non-organic plant reproductive material shall be obtained before that material is sown or planted;
(e) the competent authority, control authority or control body responsible for the authorisation shall grant the authorization only to individual users and for one season at a time, and shall list the quantities of the authorised plant reproductive material;
(f) by way of derogation from point (e), the competent authorities of the Member States may annually grant a general authorisation for the use of a given species or subspecies or variety of non-organic plant reproductive material and make the list of species, subspecies or varieties publicly available and keep it updated on an annual basis. In that case, those competent authorities shall list the quantities of authorised non-organic plant reproductive material;
(g) the authorisations granted in accordance with this paragraph shall expire on 31 December 2036.

4. By way of derogation from paragraph 1 of this Article, operators in third countries may use in-conversion plant reproductive material in accordance with Article 5(1), second subparagraph, point (a), or plant reproductive material authorised in accordance with paragraph 3 of this Article when organic plant reproductive material is justified to be not available in sufficient quality or quantity in the territory of the third country in which the operator is located.

Without prejudice to relevant national rules, operators in third countries may use both organic and in-conversion plant reproductive material obtained from their own holding.

A CERT may authorise operators in third countries to use non-organic plant reproductive material in an organic production unit, when organic or in-conversion plant reproductive material or plant reproductive material authorised in accordance with paragraph 3 of this Article is not available in sufficient quality or quantity in the territory of the third country in which the operator is located, under the conditions laid down in paragraphs 5, 6, 7 and 8 of this Article.

5. Non-organic plant reproductive material shall not be treated after harvest with plant protection products other than those authorised for the treatment of plant reproductive material in accordance with Article 24(1) of Regulation (EU) 2018/848, unless chemical treatment has been prescribed in accordance with Regulation (EU) 2016/2031 for phytosanitary purposes by the competent authorities of the Member State concerned for all varieties and heterogeneous material of a given species in the area in which the plant reproductive material is to be used.

Where the non-organic plant reproductive material treated with the prescribed chemical treatment referred to in the first paragraph is used, the parcel on which the treated plant reproductive material is growing shall be subject, where appropriate, to a conversion period as provided in

points 1.7.3 and 1.7.4. of Part I of Annex II to Regulation (EU) 2018/848.

6. The authorisation to use non-organic plant reproductive material shall be obtained before the sowing or planting of the crop.

7. The authorisation to use non-organic plant reproductive material shall be granted to individual users for one season at a time, and the competent authorities, control authority or body responsible for authorisations shall list the quantities of the authorised plant reproductive material.

8. Competent authorities shall not authorise the use of non-organic seedlings in the case of seedlings of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product.

9. Before granting authorisations for the use of non-organic plant reproductive material as set out in paragraph 2 of this Article, A CERT shall assess the following information and draw up a justification for each derogation granted:
(a) scientific and common name (common and Latin name);
(b) variety;
(c) total weight of seeds or number of plants concerned;
(d) the availability of organic or in-conversion plant reproductive material;
(e) documentation or a statement from the operator proving that the requirements set out in paragraph 2 of this Article have been fulfilled.

For each authorisation for the use of non-organic plant reproductive material as set out in paragraph 2 of this Article, A CERT shall include the relevant information in the annual report referred to in Article 4 of Regulation 2021/1698.

Article 8

Catastrophic circumstances

A CERT may authorize on a temporary basis the use of sulphur dioxide up to the maximum content to be fixed in accordance with the Annex I B to Regulation (EC) No 606/2009 if the exceptional climatic conditions of a given harvest year deteriorate the sanitary status of organic grapes in a specific geographical area in a Third Country, because of severe bacterial attacks or fungal attacks, which oblige the winemaker to use more sulphur dioxide than in previous years to obtain a comparable final product.

For the purposes of the exceptional production rules referred to in Articles 22(1) and 45(3) of Regulation (EU) 2018/848, in order for a situation to qualify as catastrophic circumstances deriving from an 'adverse climatic event', 'animal diseases', an 'environmental incident', a 'natural disaster' or a 'catastrophic event', as well as any comparable situation, A CERT may recognise a situation as catastrophic circumstances based on a statement issued by the relevant authorities of the third country in which the situation occurs, where available. If such a statement is not available, any such recognition A CERT shall be based on data provided by official organizations justifying the catastrophic circumstances.

Upon approval by A CERT, the individual operators shall keep documentary evidence of the use of the above exceptions. A CERT shall inform all other control bodies recognized for the purpose of compliance according to Regulation (EU) 2018/848 in the respective Third Country and the Commission on the exceptions it has granted under the provisions of this article.

Article 9

Labeling - Compulsory indications

Where terms referring to the organic production method are used:

(a) the code number(s) of A CERT depending on the Third Country the applicant is operating, shall also appear in the labeling;
(b) the Organic production logo of the European Union as regards pre-packaged food may also appear on the packaging;
(c) where the Community logo is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed, shall also appear in the same visual field as the logo and shall take one of the following forms, as appropriate:

i. 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries,
ii. 'EU/non-EU Agriculture', where part of the agricultural raw materials has been farmed in the Community and a part of it has been farmed in a third country.

The abovementioned indication 'EU' or 'non-EU' may be replaced or supplemented by a country in the case where all agricultural raw materials of which the product is composed have been farmed in that country.

For the abovementioned 'EU' or 'non-EU' indication, small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 2 % of the total quantity by weight of raw materials of agricultural origin.

The abovementioned 'EU' or 'non-EU' indication shall not appear in a color, size and style of lettering more prominent than the sales description of the product.

The indications to the organic production method shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible.

Article 10

Third countries, code numbers and product categories

A CERT has been awarded the following code numbers by the European Commission for the

Third Countries it has been recognized as a control body for the purpose of compliance, according to Regulation (EU) 2018/848.

Third country	Code number	Category of products						
		A	B	C	D	E	F	G
-	-	-	-	-	-	-	-	-

** The letters in the categories of products above stand for the following:*
A - unprocessed plants and plant products, including seeds and other plant reproductive material;
B - livestock and unprocessed livestock products;
C - algae and unprocessed aquaculture products;
D - processed agricultural products, including aquaculture products, for use as food;
E - feed;
F - wine;
G - other products listed in Annex I to this Regulation or not covered by the previous categories.

Article 11
List of Certified Operators

A CERT keeps a list of all operators subject to the control system in Third Countries in its website (www.a-cert.org). The list can be found together with a contact point where information is readily available on all operators' certification status. It includes all the product categories concerned, as well as all suspended and decertified operators and products. All information is available to any interested party.

Article 12
Certificate

A CERT shall provide a certificate to any operator who is subject to its controls and who in the scope of his activities, meets the requirements laid down in Regulation (EU) 2018/848 and Regulation (EU) 2021/1006. The documentary evidence permits the identification of the operator and the type or range of products as well as the period of validity.

i. All operators shall verify the documentary evidence of their suppliers.
ii. The form of the documentary evidence has been drawn up in accordance with Annex VI of Regulation (EU) 2018/848.

Article 13
Communications - Exchange of information

A CERT shall exchange relevant information on the results of its controls with the Commission, other control authorities and control bodies in a Third Country the accreditation body and Member States, upon any request duly justified by the necessity to guarantee that a product has been produced in accordance with Regulation (EU) 2018/848 and Regulation (EU) 2021/1698.

A CERT may also exchange such information with other recognized control bodies on its own initiative.

A CERT has established documented procedures to enable exchange of information with the Commission, control authorities and control bodies in a Third Country, the accreditation body and Member States including procedures for the exchange of information for the purpose of verifying documentary evidence.

Article 14
Publication of information

A CERT makes available to the public the updated list of operators subject to the control system in Third Countries. The list contains updated documentary evidence related to each operator, indicating their certification status and the product categories concerned. It also provides a contact point where information is available on suspended and decertified operators and products. All information can be found at its official website (www.a-cert.org).

Article 15
Measures in case of non-compliances

1. In case of non-compliances, A CERT shall immediately communicate with other control bodies, control authorities and the European Commission, any measures it has imposed. The level of communication shall depend on the severity and the extent of the irregularity or infringement found.

2. A CERT shall take whatever measures and sanctions are required to prevent fraudulent use of the indications on organic production and the use of the European Community logo in accordance with Regulation (EU) 2018/848, in the Third Countries it operates for the purpose of compliance, according to Regulation (EU) 2018/848 and the respective Commission Implementing and Delegated Regulations.

3. A CERT may require, on its own initiative, any other information on irregularities or infringements.

4. In case of irregularities or infringements found with regard to products under the control of other control authorities or control bodies, A CERT shall also inform those authorities or bodies without delay.

5. A CERT has developed and adopted a catalogue listing all infringements and irregularities affecting the organic status of products and corresponding measures that have to be applied in case of infringements or irregularities by operators under the control system, who are involved in organic production.

Article 16
Non-organic food ingredients of agricultural origin

Where a non-organic ingredient of agricultural origin is not included in the lists of non-organic

ingredients of the EU Commission in accordance with articles 24 and 25 of Regulation (EU) 2018/848 and the respective Commission Implementing and Delegated Regulations, that ingredient may not be used for the preparation of organic products.

In case this ingredient is produced using the organic production method in accordance with Regulation (EU) 2018/848 and the respective Commission Implementing and Delegated Regulations in the respective Third Country, the operator shall use an organically produced ingredient even if the product is included in the lists of non-organic ingredients of the EU Commission in accordance with articles 24 and 25 of Regulation (EU) 2018/848 and the respective Commission Implementing and Delegated Regulations, A CERT has to be notified by the operator prior to using a non-organic ingredient.

A CERT shall immediately notify the Commission, the Member States, accreditation bodies and other control authorities and control bodies recognised in accordance with Article 46(1) of Regulation (EU) 2018/848 of any provisional authorisation granted for the use of non-organic agricultural ingredients for processed organic food in accordance with Article 25(4) of that Regulation. That notification shall include the justification, presented in the dedicated form made available by the Commission, that such authorisation has been granted in accordance with Article 25(1) of Regulation (EU) 2018/848.

Article 17

Copper compounds and their use in organic farming

Copper compounds in the form of: copper hydroxide, copper oxychloride, copper oxide, Bordeaux mixture, and tribasic copper sulphate as described in with Regulation (EU) 2018/848 may only be used in organic plant production as bactericides and fungicides up to a limit of 6 kg of copper per hectare per year. Only in the case of perennial crops, an operator may derogate and exceed the 6 kg limit in a given year, provided that the average quantity actually used over a 5-year period consisting of that year and of the four preceding years does not exceed 6 kg. Prior to taking advantage of this derogation, the operator has to inform A CERT in detail providing evidence about the need to exceed the 6 kg limit in the given year and shall only implement it should A CERT issues a written notification consenting to it.

Risk mitigation measures shall also be taken to protect water and non-target organisms such as buffer zones.

Article 18

Objections-Appeals

A right for objection and appeal have inspected operators and third parties if and when they can justify the legitimacy of their interests.

The objection may be raised on the Control Body's personnel or on a sampling result and may be submitted using the appropriate form available by the Control Body for this purpose. Submission of the objection is being considered as valid, if it was effected by the inspected operator during the performance of the act, or upon notification to the operator of the results of chemical analysis of the samples. As regards third parties, the submission time is decided by the General Manager and if justified and decided by the Control Body that there is legitimate interest, it is referred to the competent Committee.

The appeal may refer to a decision of an organ of the Control Body and may be submitted using a designated for this purpose document. Submission of the application is considered as a valid when effected within five (5) working days of notification of the decision to the operator.

The Objection and Appeal Committee shall meet within fifteen (15) working days from the receipt of the objection / appeal. The objector shall be informed in writing by the Control Body on the date of examination and may request for participation in the meeting. If the request is approved by the General Manager, then the operator may participate in the meeting and support the submitted objection / appeal. Until the decision is rendered by the Committee, the decision against which the appeal is raised and any other provisional measures submitted remain in force. The Committee may require further clarifications, if necessary, by the parties or require the involvement of experts to investigate the case. The Committee must take a decision within fifteen working (15) days from the receipt of the objection / appeal and notify the claimant/ applicant regarding the decision.

Article 19

Rights and Obligations of the Contracted Operators with A CERT

a. Rights:

1. The contracted operator may justifiably request the change of the inspection date or the surveillance, within the designated time period.
2. The contracted operator may request the modification of the inspection team, if the operator may justify such objection.
3. During the inspection the operator's representative may record his reservations regarding the verification and/or the observations of the inspection team. The representative may record his reservations or his objections in all documents that he signs during the inspection.
4. The contracted operator may be informed on the documentation that is collected by the lead inspector during the inspection.
5. The contracted operator may request verification of the results of chemical analysis regarding a sampling, within a specified timeframe. In this case the incurred costs will be paid by the contracted operator.
6. The contracted operator may use the granted certificates for professional

reasons, namely the conclusion of agreements, cases of offers, confirmation of orders, for promotion and marketing purposes and also in order to prove that the latter conforms to the requirements of the standards according to which it is certified.

b. Obligations:

The contracted operator must:

1. cooperate in a way that facilitates the Control Body's personnel by taking appropriate organizational measures with respect to the inspection procedures and surveillance inspections. In case the legal representative fails to attend the inspections, the latter must designate a representative who will be present throughout the inspection. If the inspection cannot be performed or is difficult by default and / or it is impeded by the operator, this is considered as denial of the inspection and the relevant procedure of non-compliances and sanction measures shall apply;
2. provide during the inspection to the inspectors and to all relevant observers any access in all production facilities, processing facilities, storage facilities, in all accounting and relevant documents. Furthermore, the operator must provide the Control Body with any information deemed necessary for the purpose of inspection;
3. maintain all documentation required that substantiates the certified activities in accordance with the requirements of applicable national and European legislation including the Codes of Good Agricultural Practices;
4. In case of failure to perform the scheduled inspection within the defined timeframe, because of the operator, the operator is charged for refusal to carry out the inspection. The Sanctions Committed is competent to take cognizance of the matter, which decides on the respective sanctions imposed to the operator according to the sanctions list;
5. the legal representative of the operator or a duly authorized person must sign during the inspection all documents that are indicated by the personnel of the Control Body. Refusal to sign is deemed as a refusal to carry out the inspection and is referred to the Sanctions Committee to decide for the enforcement of sanctions;
6. continuously implementing procedures of the inspected and certified activity, in order to continuously comply with the Rules under which certification is granted;
7. take corrective actions to remedy non-conformities identified during the inspection by the Control Body within the specified timeframe. Failure to remedy the non-conformities within the agreed period constitutes a reason for the enforcement of sanctions;
8. inform the Control Body in writing regarding any changes that the operator will perform in its inspected and certified activities and/or the production methods;
9. immediately notify the Control Body if it finds that the products it produces, processes, imports or receives from other operators do not satisfy the requirements of Regulation (EU) 2018/848 under which they are certified;
10. with respect to products produced, processed or imported by the operator and for which there are suspicions of non-compliance according to Regulation (EU) 2018/848, documented evidence stating that these products are conventional shall be kept;
11. the contracted operatory is responsible for the proper use of certificates received by the Control Body. The operator must state that it holds the certificates only for the products mentioned in the said certificates and market its products accordingly. Any reference to the certification of the product in the media, including forms, brochures and / or advertisements has to comply with the requirements of Regulation (EU) 2018/848;
12. state the products that are certified only as to the scope for which the certification is granted;
13. not use the certification in such a way as to bring disrepute to the Control Body, or in any manner that may be perceived by the Control Body as misleading;
14. keep a record of complaints and file of the measures taken to deal with complaints. These records are subject to inspection by the inspectors of the Control Body;
15. in case of suspension or withdrawal of the certificates, the operator must immediately cease the use of any license, advertisement and any reference to certification;
16. in case of withdrawal of a certificate, the operator must return all original documents of the provided certificates;
17. accept the certificates of the Control Body issued for other operators;
18. package and transfer the products according to Regulation (EU) 2018/848. To receive products from other operators in accordance with Regulation (EU) 2018/848;
19. in case a subcontractor of an operator is inspected by another control body recognised pursuant to Article 46(1) of Regulation (EU) 2018/848, to allow the exchange of information among the Control Bodies regarding the inspection operations;
20. comply with the provisions of this Certification Regulation and the Annex to Regulation Certification relevant to its activity;
21. to comply with the certification requirements and make any changes when notified by the Control Body;
22. certified products must meet the requirements of the products under the granted certification;

23. provide, in case that it is necessary to submit copies of the certification, copies of all documents relating to the certification or as determined by the certification scheme and Regulation (EU) 2018/848;
24. to inform the Control Body of any change that may affect the capacity to comply with the certification requirements, such as: change of legal, commercial or organizational status, management change, change of address and production points.

Article 20

A CERT's Obligations

A CERT shall:

1. operate at all levels in an impartial, objective way, which ensures the confidentiality of the information it handles;
2. provide the applicant with any information needed for the evaluation and certification procedure. Notify to the operator the Regulation (EU) 2018/848 as in force and each addition and / or amendment. A CERT shall perform towards the operator all its obligations under Regulation (EU) 2018/848 and its internal Regulation;
3. use for each position the appropriate personnel which is evaluated as having the proper competence and capacity;
4. train and supervise the personnel chosen to carry out the inspections;
5. organize the inspection and make decisions on granting certificates and penalties;
6. inform its affiliated companies for the dates of the inspections and for the composition of the inspection team, for the decisions of the Sanctions Committee, and the dates of examination of the appeals and petitions from the Appeals Commission and its decisions;
7. issue the certification documents of Article 12 of this Regulation;
8. issue a confirmation letter upon request by the operator stating that this operator is registered in the inspection and certification system of A CERT and meets the requirements of the Regulations. The compliance letter will be provided for all uses except from the sales of the products;
9. keep personal files for each controlled operator which are available to the Surveillance Authority and deliver them to the latter upon request;
10. forward to EU Authorities up to February 28th of each year in implementation of Regulation (EU) 2018/848 and Regulation (EU) 2021/1698 the following information relating to the previous year: a) the control system, in which, apart from the name and address, indications of the area and the crop species and the number at livestock species, as appropriate. b) Comprehensive report on the analyses of the samples it took, c) state of the certified products (type, size, quantity, region) and d) any other information as requested by the competent authorities;
11. cooperate with other Control Bodies for organic products by sharing necessary information and sending a copy of the archived personal operator's files if the operator decides to change the Control Body and in parallel inform the supervising and controlling authority as appropriate;
12. inform the supervisory authority for issuing certification documents, and suspend or revoke the certification supervisor and supervisory authority in accordance with applicable national legislation;
13. provide assistance for second part inspections;
14. in case of repeated operation of the Control Body after having justifiably lodged an objection or appeal to the Appeals Committee, the costs are borne by the Body;
15. A CERT has no responsibility if liabilities arise due to consumption of unsafe food from a certified operator;
16. inform the operator in writing when required by law to publish confidential information to third parties about the accused operator;
17. where requested clarifications concerning the application of the Regulations, those will be provided by technically trained staff of the Control Body upon request;
18. inform the certified companies via e-mail, via the official website or via post regarding changes in certification requirements that affect the operator;
19. When the operator and/or subcontractor are inspected by other Control Bodies, A CERT shall exchange information with them about the operator mentioned before and their tasks. In the case that a subcontractors of an operator is inspected by another recognised control body, to allow the exchange of information among the Control Bodies regarding the inspection operations;
20. In the case of transfer to another Control Body, A CERT is obliged to give to the next Body Control the relevant information about the operator's file as well as the inspection reports, and particularly:
    - If the operator's financial issues have been paid off
    - If there is not any scheduled inspection within 30 days from the date of the inspection assignment
    - If ACERT is under evaluation progress regarding non-conformities that were raised during the inspection to the operator;
21. conversely, if an operator has transferred his business in A CERT, the previous Control Body shall ensure that the operator deals with the cases of non-compliance referred to the report of the previous Control Body;
22. when the operator withdraws from the control system, A CERT shall immediately inform the competent authority. This also applies in the cases of transfer.

Article 21

Expiry of the Collaboration

The collaboration between A CERT and the contracted operator may expire for the following reasons:

- Following the expiry of the time that is entered in the Private Contract, and if its renewal is not applied by the operator.
- Following the termination of the Private Contract by the operator. In this case the operator should inform in written the Control Body, while it commits to comply with the terms of the signed Contract regarding the economic obligations against A CERT.
- Following the termination of the Private Contract by A CERT. Reasons that can lead to a termination on behalf of the Control Body, are:

    1. Failure to meet its financial obligations;
    2. the imposition by the Sanctions Committee of the withdrawal of the operator from the Control System for a period not exceeding three years or prohibition to sell its products as organic for a period not exceeding one year, while informing the Supervisory Authority.

A CERT reserves the right to bring a claim before the civil courts to exercise its lawful rights, as well as to seek protection regarding threats against its good reputation and function through any means (paper, digital press, radio, etc.).

Article 22

Pricing and Credit policy

A CERT follows a unique pricing policy for all operators involved. For this purpose it drafts price lists depending on the requested scope of certification, where the economic conditions of cooperation are stated in detail.

Each calendar year the tariffs may be revised by a decision of the Control Body without prior notice.

Article 23

Publications

Within its obligations towards national and European legislation A CERT publishes and provides the competent Authorities with information such as:

- Certification Regulation
- Annex of Certification Regulation

    - I Crop Production
    - II Animal Production
    - III Processing of Organic Products and Feed

- Pricelists

    - Crop Production
    - Animal Production
    - Processing of Biological Products and Feed

- Trademark and Labeling Regulation
- List of Affiliated Companies
- List of operators with certified products. The list includes operators which have been granted certification by the Control Body and contain information such as the name, activity and qualified products as well as any other information required.
- List of Certified Products. This list records all the products that have been produced or imported, by category and type, and which are certified by the Control Body.

Article 24

Communicate the Changes of the Requirements

The regulations of the Control Body are being reviewed and may be revised by the Quality Management Department when necessary. The Control Body announces in advance the proposed changes to interested parties inviting them to submit comments and suggestions for changes. After deciding on changes or revisions concerning the certification requirements they shall be communicated in writing to the affiliated companies.

The Control Body may amend the requirements for certification and apply the changes to the Regulations and national legislation as required.