ANNEX TO THE CERTIFICATION REGULATION (ICS-BIO3CC-D1.16)
REGARDING THE CONTROL MEASURES APPLIED IN THIRD COUNTRIES

Article 1
Scope of Regulation

This Annex to the Certification Regulation is a supplement to the Certification Regulation and only applies to the control system that A Cert S.A implements in Third Countries. It describes all the control measures that operators applying in the Third Countries A Cert is operating organic inspection and certification scheme in accordance with Regulation (EU) 2018/848, Regulation (EU) 2017/625 and Regulation (EU) 2021/1698 on organic production and labelling of organic products.

Article 2
General Rules

1. A CERT performs controls to all operators and groups of operators in third countries registered in A CERT's control system in order to verify their compliance with Regulation (EU) 2018/848 and Regulation (EU) 2021/1698. The aforementioned control includes:

(a) the verification of the application of preventive and precautionary measures, as referred to in Article 9(6) and in Article 28 of Regulation (EU) 2018/848, at every stage of production, preparation and distribution;

(b) where the holding includes non-organic or in-conversion production units, the verification of the records and of the measures or procedures or arrangements in place to ensure the clear and effective separation between organic, in-conversion and non-organic production units as well as between the respective products produced by those units, and of the substances and products used for organic, in-conversion and non-organic production units. Such verification shall include checks on parcels for which a previous period was recognised retroactively as part of the conversion period, and checks on the non-organic production units;

(c) where organic, in-conversion and non-organic products are collected simultaneously by operators, are prepared or stored in the same preparation unit, area or premises, or are transported to other operators or units, the verification of the records and of the measures, procedures or arrangements in place to ensure that operations are carried out separated by place or time, that suitable cleaning measures and measures to prevent substitution of products are implemented, that organic products and in-conversion products are identified at all times, that organic, in-conversion and non-organic products are stored, before and after the preparation operations, separated by place or time from each other, and that traceability of each lot from the individual land parcels to the collection centre has been ensured.

2. Controls by A CERT for the verification of compliance with Regulation (EU) 2018/848 shall be performed on all operators and groups of operators in third countries regularly, on a risk basis and with appropriate frequency, throughout the entire process at all stages of production, preparation and distribution on the basis of the likelihood of non-compliance as defined in point (57) of Article 3 of Regulation (EU) 2018/848, which shall be determined taking into account the following elements:

(a) the type, size, including newly added land parcels, and structure of the operators and groups of operators, as well as the number of new members joining the group of operators;
(b) location and complexity of the activities or operations of operators and groups of operators;
(c) the length of time during which operators and groups of operators have been involved in organic production, preparation and distribution;
(d) the results of the controls performed in accordance with this Article, in particular as regards compliance with Regulation (EU) 2018/848;
(e) in the case of a group of operators, the results of the internal inspections carried out in accordance with the documented procedures of the system for internal controls of the group of operators;
(f) whether the holding includes non-organic or in-conversion production units;
(g) the type, quantity and value of products;
(h) the risk of commingling of products or contamination with non-authorised products or substances;
(i) the application of derogations or exceptions to the rules by operators and groups of operators;
(j) the critical points for non-compliance at every stage of production, preparation and distribution;
(k) subcontracting activities;
(l) whether operators or groups of operators have changed their certifying control authority or control body;
(m) any information indicating the likelihood that consumers might be misled;
(n) any information that might indicate non-compliance with Regulation (EU) 2018/848.

3. Article 2 of Commission Delegated Regulation (EU) 2021/771 (5) and Articles 4, 5 and 6 of Commission Implementing Regulation (EU) 2021/279 (6) shall apply mutatis mutandis to controls in respect of groups of operators in third countries.

4. A CERT shall carry out a verification of compliance with Regulation (EU) 2018/848 for all operators and groups of operators at least once a year. The verification of compliance shall include a physical on-the spot inspection.

5. A CERT shall ensure that it carries out every year at least 10 % of additional controls to those referred to in paragraph 4. Of all physical on-the-spot inspections carried out by A CERT, at least 10 % shall be without prior notice.

6. Controls carried out as a follow-up on a suspected or established non-compliance shall not count towards the additional controls referred to in paragraph 5.

7. Every year, A CERT shall re-inspect at least 5 % of the members of a group of operators, but not less than 10 members. Where the group of operators has 10 members or less, all members shall be re-inspected.

8. The physical on-the-spot inspection and the sampling shall be carried out by A CERT at the most appropriate times in order to verify compliance on critical control points.
For the high-risk products referred to in Article 8 of Regulation (EU) 2021/1698, A CERT shall carry out, at least, two physical on-the-spot inspections per year of operators or groups of operators. One of these physical on-the-spot inspections shall be without prior notice.

9. Where operators or groups of operators run several production units or premises, including purchase and collection centres, all production units or premises, including purchase and collection centres, used for non-organic products shall also be subject to the control requirements set out in paragraph 4.

10. The delivery or renewal of the certificate referred to in point (b)(i) of Article 45(1) of Regulation (EU) 2018/848 shall be based on the results of the verification of compliance referred to in this Article.

11. Before accepting to certify operators or groups of operators, a control authority or control body shall ensure that the
operators or groups of operators have provided the following:

Article 3
Definitions

The definitions laid down in Article 2 of Regulation (EC) No 834/2007 and Article 2 of Regulation (EC) No 889/2008 shall apply for the purposes of the present Annex to the Certification Regulation.

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 and sample analysis:

Sampling and sample analysis are conducted according to the procedure set out in ICS-BIO3CC-I1.11. 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

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 as described in ICS-BIO3CC-P8.

Article 6

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 7

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 8

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 9
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 10
Labelling - 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 11
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 12
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 13
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 14
Communications - Exchange of information

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

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 all control bodies operating in a given Third Country, including procedures for the exchange of information for the purpose of verifying documentary evidence.

Article 15
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 16

Measures in case of non-compliances

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.

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.

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

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.

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 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.