



Agricultural
Marketing
Service

Livestock
and Seed
Program

Audit, Review,
and Compliance
Branch

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DATE: July 1, 2010

TO: Accredited USDA ISO Guide 65 Program Clients

FROM: Samantha J. Simon, Accreditation Program Manager

SUBJECT: European Union Organic Regulations

Last fall, the European Organic Certifiers Council (EOCC) issued a document outlining questions and answers related to the application of Article 11 of EC No 1235/2008. The document clarified the requirements of certification bodies that apply for recognition for the purpose of equivalence in accordance with Article 33(3) of EC No 834/2007. Specifically, certification bodies that apply for recognition must certify operations to a standard that contains, at a minimum, production rules and control measures. The standard must be a text that is equivalent to the standards and measures within Titles III, IV, and V of EC No 834/2007, as well as with the associated implementing rules laid down in EC No 889/2008. It is not sufficient to refer only to EC Nos 834/2007 and 889/2008 and identify those regulations as the standard, or to refer to a table with reference to the regulations and an explanation of the differences.

In addition, certification bodies must be active in a country before applying for recognition. Certification bodies can not apply for recognition of planned activities. Assessment bodies must conduct a witness audit in at least one third country for which the certification body is applying for recognition. If this witness audit is not conducted, the assessment report is considered insufficient.

During assessments, the ARC Branch will continue to evaluate the standards that certification bodies utilize under their USDA ISO Guide 65 Programs. The assessment report will be revised slightly to include reference to the standard applied by the certification body and a statement regarding the evaluation that is conducted. During this year's reassessments, certification bodies must expect the ARC Branch to conduct at least 1 witness audit of foreign operations, if these operations are include within the scope of the certification body's USDA ISO Guide 65 Program. This is not only necessary for the EU, but also to ensure conformance to the ARC Branch's procedures. The ARC Branch will work to schedule foreign witness audits in conjunction with other activities to minimize the cost to the extent possible. If a certification body wishes to reduce the scope of its USDA ISO Guide 65 Program to exclude foreign operations, please provide written notice to me per *ARC 1000 Procedure, Section 21, Reduction of Scope*.

Earlier this spring, the USDA, Foreign Agricultural Service contacted the European Union Commission (EC) to inquire about the status of applications sent by U.S. certification bodies. The EC received 72 applications around the world; and is planning to publish the first list of approved bodies this summer. Unfortunately, the EC could not provide the status of specific certification bodies or a specific date that the list would be published. As a reminder, if the EC requests additional information regarding the assessment report issued by the ARC Branch, please notify me so that the ARC Branch can accommodate the request.

The EOCC document, the EU regulations, and the Guidelines are available for review on the ARC Branch's USDA ISO Guide 65 Web site at www.ams.usda.gov/LSISO65Program. For the latest news and information regarding accreditation services, visit the ARC Newsroom at www.ams.usda.gov/ARCNewsroom. Interested parties may subscribe to receive an email notification when new announcement are posted.