**Issuance procedure**

**Inspection certificate received by the system TRACES (TRADE CONTROL AND EXPERT SYSTEM)**

**I PROCEDURE PURPOSE**

Determine the procedure for issuing an inspection certificate to operators who import organic products into the European Union (EU). According to EU rules, starting from April 19, 2017, organic products imported into the EU must be accompanied by a certificate of inspection (COI) issued through the information system of the European Commission ‘TRACES’ (TRADE CONTROL AND EXPERT SYSTEM). As of 19 October 2017, the currently widely used Import Transaction Document (ITC) has ceased to be used for the entry of goods into the European Union.

*REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (EC) 208/848 on organic production and on the labeling of organic products, and repealing Council Regulation (EC) 834/2007*

Commission Delegated Regulation (EU) 2021/1698 of 13 July 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with procedural requirements for the recognition of control authorities and control bodies that are competent to carry out controls on operators and groups of operators certified organic and on organic products in third countries and with rules on their supervision and the controls and other actions to be performed by those control authorities and control bodies

COMMISSION DELEGATED REGULATION (EU) 2021/2306

of 21 October 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the official controls in respect of consignments of organic products and in-conversion products intended for import into the Union and on the certificate of inspection

*Technical Standard ANN-P-BL-012*

**II TERMS AND DEFENITIONS**

**TRACES -** [**https://webgate.ec.europa.eu/tracesnt/login**](https://webgate.ec.europa.eu/tracesnt/login)

**COI –** (CERTIFICATE OF INSPECTION) - inspection certificate issued by the certification body (hereinafter - STC) in the system TRACES

**III ADRESSERS OF THE PROCEDURES**

**Operators exporters** of organic products to the EU countries that have contractual relations with the STC (and their authorized representatives)

**Authorized employees of the STC - e**mployees who have access rights to the system

Other stakeholders

**IV TERMS**

When issuing a COI, the STC is guided by the following clarifications of the EU regulation 2021/2306

1. If the products are transported by separate vehicles - by road - then a separate COI is issued for each vehicle (an exception is allowed only if there are special documented instructions)
2. If the product is transported by rail, one COI is issued per train (exception allowed only if special documented instructions exist)
3. If the products are transported by other means of transport, the amount of COI is determined depending on the batch of products and the final recipient.

**V PROCEDURE FOR APPLICATION FOR COI**

Before starting the planned procedure for the import of organic products, the operator familiarizes himself with the requirements <http://www.stc.lv/imports-no-tresam-valstim?lang=ru>

Fills out and sends by an authorized person a signed *APPLICATION FORM FOR CERTIFICATE OF INSPECTION (COI) (ONLY FOR EXPORT TO EU) ANN-F-BL-089 o*n the standard form of the STC which is available <http://www.stc.lv/imports-no-tresam-valstim?lang=ru>

The completed application must be accompanied by the documents specified in the application (the content of the application form is built under the content of the system TRACES)

All communication is carried out electronically via e-mail coi@stc.lv

**IV Verification of consignments intended for import into the Union**

1. STC verify consignments intended for import into the Union with regard to the compliance with Regulation (EU) 2018/848 and this Regulation. This verification includes systematic documentary checks and, as appropriate according to a risk assessment, physical checks, **before the consignment leaves the third country of export or of origin**.
2. STC verify consignments of the producer or the processor of the product concerned or where the operator or group of operators carrying out the last operation for the purpose of preparation is different from the producer or processor of the product, the control authority or control body of the operator or group of operators carrying out the last operation for the purpose of preparation as defined in point (44) of Article 3 of Regulation (EU) 2018/848 (Reg. 2021/1698 article 16 (2))
3. STC the documentary checks include (Reg. 2021/1698 article 16 (3)):
	1. the traceability of the products and ingredients;
	2. that the volume of the products included in the consignment is in line with the mass balance checks of the respective operators or groups of operators according to the assessment carried out by the control body;
	3. the relevant transport documents and commercial documents (including invoices) of the products;
	4. in case of processed products, that all organic ingredients of such products have been produced by operators or groups of operators certified in a third country by a control authority or control body recognized in accordance with Article 46(1) or referred to in Article 57 of Regulation (EU) 2018/848 or by a third country recognized in accordance with Articles 47 and 48 of Regulation (EU*)* 2018/848, or have been produced and certified in the Union in accordance with that Regulation.

Those documentary checks are based on all relevant documents, including:

* the certificate referred to in point (b)(i) of Article 45(1) of Regulation (EU) 2018/848,
* the latest record of the inspections,
* the production plan for the product concerned and
* records kept by the operators or groups of operators,
* available transport documents, commercial and financial documents and
* any other documents deemed relevant by the control body.
1. In relation to the risk assessment preceding physical checks as referred to in Article 1, the STC considers the following criteria:
	1. the relevant criteria listed in Article 3 of the STC Procedure ANN-F-BL-011;
	2. whether there are several operators involved in the distribution chain of the products who do not store or physically handle organic products;
	3. high-risk products referred to Reg 2018/848 Article 8;
	4. any criteria deemed relevant by the STC.

5. For consignments made from bulk organic products, the STC draw up a travel plan in the Trade Control and Expert System (TRACES), including all the premises to be used during the travel from the third country of origin or export to the Union.

6. For consignments of high-risk products referred to in Article 8, the STC carry out systematic physical checks and take at least one representative sample of each consignment. Moreover, the control body have complete documentation of the traceability of the operators or groups of operators and the product, including transport and commercial documents, including invoices.

At the request of the Commission or the competent authority of a Member State, the STC send immediately this traceability documentation as well as the results of the sampling analysis to the control authority or control body of the importer and to the competent authority of the Member State where the consignment is verified.

7. In case of suspicion of non-compliance the STC make available to the Commission or the competent authority of a Member State without delay the list of all operators and all groups of operators in the organic production chain of which the consignment is part.

 ***V Format of the certificate of inspection and use of TRACES***

1. *The STC issues in the Trade Control and Expert System (TRACES) the certificate of inspection in accordance with the model in the Reg 2021/1378 Anex I and set out in the paragraph IX of this procedure and completes boxes 1 to 18 of that certificate;*
2. *When issuing the certificate of inspection, the STC uploads into TRACES all the supporting documents, including the following:*
	1. *the results of analyses or tests carried out on the samples taken, where applicable;*
	2. *the commercial and transport documents such as the bill of lading, invoices and packaging list and, where the control body has been recognized in accordance with Article 46 of Regulation (EU) 2018/848, the travel plan as drawn up in accordance with Article 16(5) of Delegated Regulation (EU) 2021/1698.*
3. *The certificate of inspection is issued in TRACES and bears a qualified electronic seal.*

*Can only be signed by a specially trained and knowledgeable expert.*

*If unavailable at the moment of the issuance, the information relating to the number of packages referred to in box 13 of the certificate of inspection and the information referred to in boxes 16 and 17 thereof, as well as the documents referred to in above paragraph 2, shall be included or updated in the certificate of inspection within* ***10 days*** *from its issuance and, in any case, before its verification and endorsement by the competent authority in accordance with Article 6.*

1. *The certificate of inspection is drawn up:*
	1. *in the official language or in one of the official languages of the Member State of the border control post of entry into the Union, in the case of products subject to official controls at border control posts;*
	2. *in the official language or in one of the official languages of the Member State where the consignment is to be released for free circulation, in the case of products exempted from official controls at border control posts in accordance with Delegated Regulation (EU) 2021/2305.*
2. *By way of derogation from paragraph 4, a Member State may consent to certificates being drawn up in another official language of the Union and accompanied, if necessary, by an authenticated translation.*

6. Upon receipt of the application and relevant documents, the responsible expert evaluates the following:

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| --- | --- | --- |
| Position  | Scope of inspection  | Nonconformity activities |
| Sufficiency of information in the application | Checking the correctness of filling in the information | Communication with the authorized person of the exporter and request additional information, if necessary  |
| Correctness of data on the exporter and producer or preperator of products in TRACES | The status of the company is checked, the accuracy of the address, postal codes - since these inaccuracies can seriously affect the further export procedure | Making changes to data <https://webgate.ec.europa.eu/tracesnt/login> |
| Compering data (certification scope, types/categories of products in the organic certificate | The expert checks the declared types and volumes of products with the information on the certificate and compares it with the information in the certification file | If a mismatch is found, the expert seeks clarification from the exporter and the chief expert until the inaccuracies are eliminated, the registration procedure stops |
| Analysis of the results of the last check (inspection) at the exporter and relevant product manufacturers | Statuss of non-compliancesChecks the quantities of products that are recorded in the certification file |  If discrepancies are found, the expert turns to the chief expert and asks for clarification on the fixed result of the last inspection (according to the assessment documents in the certification case) |
| The traceability and Mass balance  | The verification of the traceability of the products and ingredients and that the volume of the products included in the consignment is in line with the mass balance checks. | If a mismatch is found, the expert seeks clarification from the exporter and the chief expert until the inaccuracies are eliminated, the export procedure is stoped |
| Analysis of the scheme submitted by the exporter, traceable (flow chart) | The scheme should reflect the cycle of movement of products from the manufacturer to the final recipient, including all places of storage of products. The expert checks whether all operators indicated in the scheme are certified (manufacturers, warehouses, traders) | If STC discrepancies are found, the expert must clarify the information and require clarification from the exporter |
| Analysis of accompanying documents confirming the movement of the declared batch of products | The expert analyzes the documents confirming the product movement cycle | If the identification of the lots or the quantity does not match, the expert necessarily clarifies the information and requires an explanation from the exporter |
| Analysis of the submitted reports of laboratory tests, declared batches of products | The expert checks the scope of the analyzes carried out - it is imperative that the results of pesticide screening be reflected and, in case of violation of the norms according to the regulations, suspends the further movement of products | The expert, in case of violation of the norms according to the regulations, suspends the further movement of products ANN-P-BL-003.1, ANN-P-BL-015, ANN-P-BL-003\_3V annex 2 |
| Analysis of the results of supervision (inspection) when loading products | Obtaining data from a surveyor and analyzing information. | If the data does not match, the expert turns to the surveyor for clarification. |
| Analysis of issued phytosanitary certificates | The expert checks whether the declared lotto (lots) products and quantities have been supervised. | The expert checks the data on the certificate especially - the numbers of lots and vehicles, certificates must be loaded into the system |

**VI STC PROCEDURE FOR ISSUING COI IN THE SYSTEM**

After evaluating the above re-read documentation and eliminating inconsistencies or inaccuracies in the information, the responsible expert starts rechecking the data in the TRACES system.

The STC starts issuing COI in the system after it receives a message to сoi@stc.lv from the exporter about the issued draft version of the certificate. (Exporter sends a link electronically)

In case of any discrepancy between the data filled in by the exporter and the data of the submitted documentation, the expert communicates with the authorized representative of the exporter and eliminates the discrepancies.

**VII COI ISSUANCE PROCEDURE**

After issuing the COI, the expert signs the COI with an electronic e-seal.

Sends a confirmation to the operator by official mail that the COI is signed.

**VIII PROCEDURE FOR ARCHIVING DOCUMENTATION**

The received documentation is stored in a protective and inaccessible to unauthorized persons electronic form [U:\COI](file:///U%3A%5CCOI)

Issued COI register maintained [U:\COI](file:///U%3A%5CCOI)

And also all information is stored in the system

<https://webgate.ec.europa.eu/tracesnt/login>

 ***IX CERTIFICATE OF INSPECTION FOR THE IMPORT OF ORGANIC AND IN-CONVERSION PRODUCTS INTO THE EUROPEAN UNION***

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| *1.* | *Issuing control authority or control body* |

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| *2.* | *Procedure pursuant to Regulation (EU) 2018/848 of the European Parliament and of the Council*[*(1)*](https://eur-lex.europa.eu/eli/reg_del/2021/2306/oj#ntr1-L_2021461EN.01002301-E0001)*:*

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| --- | --- |
| *☐* | *Compliance (Article 46);* |

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| --- | --- |
| *☐* | *Equivalent third country (Article 48);* |

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| *☐* | *Equivalent control authority or control body (Article 57); or* |

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| --- | --- |
| *☐* | *Equivalence under a trade agreement (Article 47).* |

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| *3.* | *Certificate of inspection reference number* |

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| *4.* | *Producer or processor of the product* |

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| *5.* | *Exporter* |

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| *6.* | *Operator who buys or sells the product without storing or physically handling the product* |

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| *7.* | *Control authority or control body* |

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| *8.* | *Country of origin* |

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| *9.* | *Country of export* |

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| *10.* | *Border control post/point of release for free circulation* |

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| *11.* | *Country of destination* |

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| *12.* | *Importer* |

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| *13.* | *Description of products* |

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| *Organic or in-conversion* | *CN code* | *Trade name* | *Category* | *Number of packages* | *Lot number* | *Net weight* |
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| *14.* | *Container number* |

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| *15.* | *Seal number* |

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| *16.* | *Total gross weight* |

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| *17.* | *Means of transport* |

*Mode**Identification**International transport document* |
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| *18.* | *Declaration of the control authority or control body issuing the certificate referred to in box 1* |

*This is to certify that this certificate has been issued on the basis of the checks required under Commission Delegated Regulation (EU) 2021/1698*[*(2)*](https://eur-lex.europa.eu/eli/reg_del/2021/2306/oj#ntr2-L_2021461EN.01002301-E0002)*for compliance (Article 46 of Regulation (EU) 2018/848) or Commission Delegated Regulation (EU) 2021/1342*[*(3)*](https://eur-lex.europa.eu/eli/reg_del/2021/2306/oj#ntr3-L_2021461EN.01002301-E0003)*for equivalence (Article 47, 48 or 57 of Regulation (EU) 2018/848) and that the products designated above are in line with the requirements of Regulation (EU) 2018/848**Date* |
| *Name and signature of authorised person/qualified electronic seal* | *Stamp of issuing control authority or control body* |
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| *19.* | *Operator responsible for the consignment* |

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| *20.* | *Prior notification* |

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| *Date* | *Time* |
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| *21.* | *For transfer to:* |

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| *22.* | *Details of the control point* |

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| *23.* | *Special customs procedures* |

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| *Customs warehousing ☐* | *Inward processing ☐* |
| *Name and address of the operator responsible for the customs procedure(s):**Control authority or control body certifying the operator responsible for the customs procedure(s):*

|  |  |
| --- | --- |
| *☐* | *Verification of the consignment prior to the special customs procedure(s)* |

*Additional information:**Authority and Member State:**Date:**Name and signature of authorised person**Customs Declaration Reference Number for the customs procedure(s)* |
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| *24.* | *First consignee in the European Union* |

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| *25.* | *Control by the relevant competent authority* |

*Documentary checks*

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| *☐* | *Satisfactory* |

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| *☐* | *Not satisfactory* |

*Selected for identity and physical checks*

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| --- | --- |
| *☐* | *Yes* |

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| --- | --- |
| *☐* | *No* |

*Authority and Member State:**Date:**Name and signature of authorised person/qualified electronic seal* |
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| *26.* | *transfer from the border control post to a control point:* |

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| *27.* | *Details of the control point* |

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| *☐ Yes* | *☐ No* |  |
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| *28.* | *of transport from the border control post to a control point* |

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| *29.* | *Identity and physical checks* |

*Identity checks*

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| --- | --- |
| *☐* | *Satisfactory;* |

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| --- | --- |
| *☐* | *Not satisfactory;* |

*Physical checks*

|  |  |
| --- | --- |
| *☐* | *Satisfactory;* |

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| --- | --- |
| *☐* | *Not satisfactory;* |

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| --- | --- |
|  | *Laboratory test* |

 | *☐ Yes* | *☐ No* |  |
| *Test result* | *☐ Satisfactory* | *☐ Not satisfactory* |  |
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| *30.* | *Decision by the relevant competent authority*

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| --- | --- |
| *☐* | *To be released as organic;* |

|  |  |
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| *☐* | *To be released as in-conversion;* |

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| *☐* | *To be released as non-organic;* |

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| *☐* | *The consignment cannot be released for free circulation;* |

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| --- | --- |
| *☐* | *Part of the consignment can be released for free circulation.* |

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*Additional information:**Authority at border control post/control point/point of release for free circulation and Member State:**Date:**Name and signature of authorised person/qualified electronic seal* |
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| *31.* | *Declaration of the first consignee* |

*This is to confirm that at the reception of the products, the packaging or container and, where relevant, the certificate of inspection are:*

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| *☐* | *in accordance with point 6 of Annex III to Regulation (EU) 2018/848; or* |

|  |  |
| --- | --- |
| *☐* | *not in accordance with point 6 of Annex III to Regulation (EU) 2018/848.* |

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| *Name and signature of the authorised person* | *Date:* |

*See Annex I to procedure ANN-P-BL-022-3V*

*Export procedure intended for operators certified in third countries in accordance with the requirements of the Standard ANN-P-BL-012 (according to EU Regulation No. 2018/848, 2021/2306)*

 *The procedure explains each step and responsibility in the export procedure and COI issuance.*