



260 SW Madison Ave. Ste 106 | Corvallis, OR 97333 | [www.tilth.org](http://www.tilth.org) | PH 503.378.0690 | FX 541.753.4924 | [organic@tilth.org](mailto:organic@tilth.org)

May 30 2012

## **Important Message Regarding Trade With Europe.**

This message contains **Important Information** for **ALL OTCO CLIENTS**.

On February 15 2012 the National Organic Program [NOP] and the European Union [EU] signed a bilateral Equivalency Arrangement, which takes effect on June 1 2012. This historic arrangement between the worlds' two largest organic markets will give NOP certified Farms and Handlers in the US export and import access to the European organic market.

The US-EU Equivalency Arrangement follows a Canada-EU Equivalency Arrangement implemented on July 5 2011. The provisions of the two Arrangements are slightly different. OTCO clients in Canada can find detailed information on the [OTCO Canada web page](#).

### **Highlights of the US-EU Equivalency Arrangement [EU EA]:**

- The only exception to full equivalency between the EU and NOP regulations regards antibiotic use:
  - NOP operators must verify that apples and pears are not produced using antibiotics for three years prior to harvest to control Fire Blight (the only allowance for antibiotics in the NOP Organic Standard).
  - EU operators must verify that livestock products including dairy are not produced using antibiotics (the only allowance for antibiotics in the EU Organic Standard).
- Certified Organic Products exported to the EU can be produced with NOP and EU certified ingredients from anywhere in the world but must be final processed/labeled in the US and must ship from a US port.
- Certified Organic Products exported to the US can be produced with NOP and EU certified ingredients from anywhere in the world but must be final processed/labeled in the EU and must ship from an EU port.
- Product labels must be compliant with the country in which they are being sold.
  - All labels need to be reviewed and approved by Oregon Tilth.
  - Either or both the NOP and EU logos are allowed.
- Each export and import shipment must be accompanied by a Certificate of Import [COI] issued by the certifier of the exporter or manufacturer of the product.

## **Choose the correct certification for you:**

### **OTCO operators in the US:**

You need to be NOP Certified (you do not need additional EU certification) if you;

- Are located in the US and export to the EU.
- Sell to an NOP certified operator in the US who exports to the EU.

You need to be NOP and EU Certified (you will need both certifications) if you;

- Supply product to EU certified operators in foreign Countries (Besides the US and EU)

### **OTCO operators in Canada:**

You need to be COR Certified (you do not need additional EU certification) if you;

- Are located in Canada and export products to the EU that are 100% grown in Canada.
- Are located in Canada and sell to an NOP certified Operator in the US who exports directly to the EU.

You need to be COR and EU Certified (you will need both certifications) if you;

- Are located in Canada and export products to the EU that are NOT 100% grown in Canada.
- Supply product to EU certified operators in foreign Countries (Besides the US and EU)

### **OTCO Operators outside of the US and Canada:**

You need to be NOP Certified (you do not need additional EU certification) if you;

- Sell to an NOP certified operator in the US who exports to the EU.

You need to be NOP and EU Certified (you will need both certifications) if you;

- Are located outside the US and export to the EU directly from your country without the product being shipped or handled in the US.
- Supply product to EU certified operators in foreign Countries (Besides the US and EU)

### **OTCO Policy**

- **Only apples and pears, or products containing apples and/or pears will require further verification and documentation.**
- OTCO will not be listing products compliant to the US-EU Equivalency Arrangement on certificates. Affirmations showing compliance to this Equivalency Arrangement will be issued as requested and needed. (see Requesting Affirmation below). OTCO will continue to certify to our existing EU program for operators who request and need it.
- OTCO NOP certified Handlers in the US can accept EU certificates from Suppliers in EU Member States. Only Livestock products will require additional affirmation to the EU EA.
- All EU labels (Retail and Non-Retail/Bulk) need to be reviewed and approved by OTCO. Information on labeling for the EU is attached to this memo.

### **Requesting Affirmation**

OTCO operators who grow or use Apples and/or Pears and are requested to supply documentation affirming compliance to the EU EA can contact OTCO staff to request a review be done and an affirmation issued. There is no charge for this service. A US-EU Equivalency Supplier Affirmation Form is available on our website.

### **Requesting a Certificate of Inspection [COI]**

The COI Request Form is available on our website. Please follow the instructions at the top of the form.

**Additional Online Resources:**

[OTCO EU page](#)

[NOP EU Equivalency Website](#)

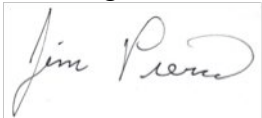
[OTA EU Equivalency Website](#)

[OTCO Canada Page](#)

[EU Logo Use Guidance](#)

For further Information and Questions I welcome and encourage you to contact me directly.

Best Regards

A handwritten signature in black ink that reads "Jim Pierce". The signature is written in a cursive style and is contained within a thin black rectangular border.

Jim Pierce, Global Certification Program Manager

503-779-9063 (cell)

jim-pierce (skype)

jim@tilth.org

## EU Organic Labeling Overview

According to the terms of the US-EU, as well as the Canada-EU Equivalency Arrangements, Organic Products must be compliant with the country in which they are being sold.

In very few cases will an NOP or COR compliant label be acceptable in Europe, or an EU compliant label in the US or Canada.

**All labels must be reviewed and approved by OTCO.**

**“Organic” (95-100% Organic Ingredients) Products.** This is the only Front Label Organic Claim allowed in the EU. Products certified as “organic” in the U.S. and meet the terms of the US-EU Equivalency Arrangement may be sold as “organic” in the EU. Products may include the EU organic logo and/or the USDA organic seal.

**100% organic products.** The EU does not have a labeling category for 100% organic products. Products meeting the terms of the US-EU Equivalency Arrangement may be labeled “organic” and may include the EU organic logo and/or the USDA organic seal.

**“Made with” organic products.** The EU does not have a labeling category for “made with” organic products. For products containing less than 95% Identification of organic ingredients as organic is allowed only in the ingredient panel. In addition, the total percentage of organic ingredients in proportion to the total quantity of ingredients of agricultural origin must appear in the ingredient panel. Products may not be labeled with the EU organic logo or the USDA organic seal.

All EU Organic labels (Retail and Non-retail/bulk) must include the **Certifier Code Number** (please contact OTCO for the correct Code Number) that the EU has assigned to each NOP-accredited certifying agent. Labels may also include the name of the U.S. or EU certifying agent.

When the EU Organic Logo is used, one of the following statements must be placed immediately below the Certifier Code Number.

- “EU Agriculture” if the agricultural raw material has been farmed in the EU,
- “Non-EU Agriculture”, if the agricultural raw material has been farmed outside the EU
- “EU/non-EU Agriculture”, if part of the agricultural raw materials has been farmed in the EU and part outside the EU.

**Bulk Products.** Lot numbers must be present that allows for a complete audit trail to verify the product’s integrity.

**Wine.** Organic wine and wine “made with organic grapes” may be exported to the EU under the arrangement if it meets the following criteria:

1. Contains 100 percent organic grapes and organic ingredients. Non-organic substances not allowed under 7 CFR 205.605 are prohibited.
2. Have been produced only using the winemaking practices and substances detailed in the EU organic regulations: <http://bit.ly/eu-organic-wine>

Organic wine may be labeled with the USDA organic seal and—beginning August 1, 2012—the EU organic logo.

More detailed information regarding EU Labeling is available on the [OTCO EU Webpage](#).