



CHAPTER 1: REQUIREMENTS FOR PRODUCING AND EXPORTING ORGANIC PRODUCTS TO MAJOR MARKETS

1. Definition of organic farming

Products labelled as "organic" are those certified as having been produced through clearly defined organic production methods. In other words, **"organic" is a claim on the production process rather than a claim on the product itself.**

Organic agriculture is best known as a farming method where no synthetic fertilizers and pesticides are used. However, this description does not mention the essence of this form of agriculture, which is the holistic management of the farming system. According to the definition of the Codex Alimentarius, "organic agriculture is a holistic production management system which promotes and enhances agro-ecosystem health, including biodiversity, biological cycles and soil biological activity. It emphasizes the use of management practices in preference to the use of off-farm inputs, taking into account that regional conditions require locally adapted systems. This is accomplished by using, where possible, agronomic, biological and mechanical methods, as opposed to using synthetic materials, to fulfil any specific function within the system." Several national governments and a multitude of private certification and farmer organizations have defined organic agriculture. In the past, differences in these definitions were significant, but the demand for consistency by the trade has led to greater uniformity.

2. Basic criteria for the production, storage and transport of organic fruit and vegetables

One of the essential elements distinguishing organic farming from other forms of sustainable agriculture is the existence of **production standards and certification procedures**. There are no universal standards for production and handling of organic fruit and vegetables. Initially, organic standards were developed by private associations, entitling members to use the respective associations' organic brands and labels when marketing their products. The International Federation of Organic Agriculture Movements (IFOAM), a non-governmental organization promoting organic agriculture internationally, has established guidelines that have been widely adopted for organic production and processing. These guidelines are commonly considered as "minimum standards", leaving room for more detailed requirements, depending on regional or local situations. As organic agriculture has become more widespread, **many developed countries have defined their own organic standards**. Since the early 1990s, **EC** countries have endorsed a common organic standard which is spelled out in Regulation EEC 2092/91. More recently, **Canada, the United States** and **Japan** have adopted organic standards and regulations. The Committee on Food Labelling of the FAO/WHO Codex Alimentarius Commission adopted "Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods" in 1999. Organic standards are usually similar as they derive from IFOAM's guidelines for organic production. **In general, the use of methods that contribute to maintaining or enhancing soil fertility is mandatory. Another common feature is that generally natural inputs are approved and synthetic inputs are prohibited.**

Nevertheless, there are exceptions in both cases. Certain natural inputs which various certification programmes determine to be harmful to human health or the environment are prohibited. In addition, certain synthetic inputs are allowed. For example, EEC Regulation 2092/91 allows, when required, the use of specific fertilizers and plant preservatives. All certification programmes maintain lists of specific approved synthetic inputs and prohibited natural inputs.

Many certification programmes require additional environmental protection measures beyond the above prerequisites. For example, specific measures are generally applied in the areas of soil and water conservation, pollution control or the use of biological control agents.

While many farmers in the developing world do not use synthetic inputs, this alone is not sufficient to classify their products as organic. Farmers who produce organic crops for export and at the same time grow basic foodstuffs on other areas of the farm using conventional methods with fertilizers and pesticides, inadmissible to the organic system, are at high risk of violating the standards, unless effective measures are taken to prevent prohibited substances from passing to the organic plots.

3. Certification: a necessary step for exporting fruit and vegetables as organic

3.1 Basic definition

Producers and exporters of organic fruit and vegetables seeking to sell their products in developed countries which have adopted organic standards and regulations will have to meet the rules established by the importing country concerned. In the United States, Japan and the EC countries, the largest markets for organic products, the standards applying to domestic organic production also apply to imported organic products. **There are detailed regulations governing the production, importing, marketing and labelling of organic products.**

Producers and exporters wishing to export fruit and vegetables with the organic label will have to obtain organic certification. Organic certification is a procedure for verifying that the production process conforms to certain standards. In other words, certification is primarily an acknowledgement that these products have been produced according to organic production standards. The basic role of a certification body is to confirm that these adhere to a specific organic standard (usually the one established by the importing country or by the certification body itself). Once certified, organic products are marketed, usually carrying a certification label, indicating that the products are certified as organic. The certification label attests to conformity with certain standards and is itself not a trade mark. However, in most countries the certification label is also registered as a trade mark. Producers wishing to enter a specific market for organic products may find it useful to be certified by a certification body with a certification label that is well known in that market.

The cost of certification can be high, although it varies in relation to farm size, volume of production and which certification body is chosen. Relatively few developing countries have certification bodies within their borders (although the situation is changing), and even when sufficient resources are available to pay for certification, farmers often lack the information to find credible inspectors.

To date, government regulations essentially deal with references to the organic production method on labels. They do not define standards for the use of private trade marks or certification marks. This implies that government regulations may be supplemented by private quality seals based on private organic standards.

3.2 Import requirements of the major markets

United States

Effective October 2002, any fruit and vegetable labelled or shipped as organic will require certification by an approved certifier based on the US National Organic Standards (NOS). Until then, there is no Government regulation or oversight on organic declarations of fruits and vegetables, which means that imports of organic products are usually undertaken by a United States importer in cooperation with a United States certification body.

For United States organic fresh producers and for exporters targeting the United States market, there are several key factors in the implementation of these standards. All certifiers who apply for USDA certification within the first six months (by August 2001) will have their

application reviewed and on compliance, approved by the April 2002 effective date. Beginning in October 2002, the USDA Organic Seal will be allowed on organic products marketed in the United States.

For certification of organic products to be exported to the United States, the exporter has three certification options:

- 1) US certification bodies operating in foreign countries may apply for USDA accreditation. Foreign applicants will be evaluated based on the same criteria as domestic certification bodies. In lieu of USDA accreditation, a foreign certification body may:
- 2) Receive recognition when USDA has determined, upon request of a foreign government, that the foreign certification body's government authority is able to assess and accredit certification bodies as meeting the requirements of the National Organic Standard; or
- 3) Receive recognition as meeting requirements equivalent to the requirements of the NOS under an equivalency agreement negotiated between the United States and the foreign government.

In practical terms, any group considering exporting organic products to the United States should identify a certification body that has or will receive United States certification approval. The United States based organizations with overseas offices will be able to certify all locations when they are approved by the USDA for organic certification.

For more information on these standards and regulations, please see the chapter on the **United States** in this publication.

Japan

The new Japan Agriculture Standard (JAS) regulations for product labelling formulated by the Ministry of Agriculture Fisheries and Forests (MAFF) have been operational since 1 April 2001. The established JAS law is based on the CODEX guidelines for organic agriculture. Under the new law all products labeled as organic must be certified by a Registered Certification Organization (RCO) and must display the JAS logo, as well as the RCO's name. Under the new regulation, RCOs are required to be accredited by MAFF. Since the start of the implementation of the new legislation, 38 organizations have been registered as RCO. Although it is possible for foreign certifiers to register, at the time of writing, all RCOs are currently Japanese.

For more information on the standards and regulations and on how exporters of organic products can obtain permission for using the JAS logo, please see the chapter on **Japan** in this publication.

Standards and regulations governing imports of organic fruit and vegetables into **Switzerland** are described in the chapter dealing with this country.

European Community (EC)

In the EC, Regulation EEC 2092/91 determines the minimum requirements for organic farming in all the member states and is a directly applicable law. It contains standards for production, processing, imports, inspection and certification, marketing and labelling of organic products. **Organic food products originating from non-EC countries may be imported and marketed in the EC with an organic label if it is accepted that the products are produced and certified according to procedures equivalent to those of the EC.**

Under Regulation EEC 2092/91, there are, in practice, two options to gain authorization to export organic products to the EC:

1) When a third country has established and implemented organic standards, it may apply to the European Commission for inclusion into the EC List of Article 11. Known as the **Article 11 list**, countries on this list can export products certified by an approved domestic certification body to the EC without the need for additional certification or accreditation. Note that this is valid only if the domestic certification body is specifically registered in the Article 11 list. Each consignment should be accompanied by a document certifying that standards and certification measures are equivalent to those applicable in the EC.

In order to be included in the list, countries will have to provide sufficient evidence that a reliable system of standards and certification procedures exists, and that it is equivalent to the EC system. The European Commission will evaluate the country's organic standards and its certification measures. These standards should correspond to the standards described in Article 6 of Regulation 2092/91, and certification measures should correspond to the measures described in Articles 8 and 9. Experience shows that it is a difficult and long process for a country to be included into the list. As of June 2001, only 6 countries were on this list (Argentina, Australia, the Czech Republic, Hungary, Israel and Switzerland). For more detailed explanations on how a non-EC country can apply for inclusion in the Article 11 list or how to obtain import permits, readers can refer to the following publication: *Organic Food and Beverages, World Supply and Major European Markets*, International Trade Centre, Geneva, 1999.

For detailed and up-to-date information on the regulations governing imports and labelling of organic food products into the EC, please see the Web site of the European Commission (http://europa.eu.int/eur-lex/en/lif/dat/1991/en_391R2092.html). This Web site provides the basic regulation EEC 2092/91 and all its amendments.

2) If the exporting country is not on the Article 11 list, the exporter should ask its importer in the EC country to apply for **an individual permit for import**. An individual EC member state may authorize an importer to import products from a country not on the Article 11 list. Under this provision, the importer should apply to the designated authorities in the EC member country for an import permission and the application should be accompanied by documentation on the equivalence of standards and control measures. The producer and the exporter will have to be certified in accordance with EC procedures, which has to be done in co-operation with an accredited certification body.

Import permits are issued for a certain amount of specific products from specified countries. They are valid for defined periods. They are granted to specific importers and valid only for those importers for import entry into those importers' country. Once imported into an EC member country, the products may be marketed freely within the EC. In practice, the duration of the process to obtain an import permit can vary considerably. Some importers reported that it is a matter of weeks in some countries (e.g. the Netherlands), while it can take up to several months in other member states. In France, for example, some trade sources said that in the past it used to take up to six months to obtain an import permit. However, they said that there has been considerable progress recently, leading to a more reasonable time frame (generally not exceeding two months).

To obtain an import permit, the importer must provide evidence that the product is produced in accordance with production requirements equivalent to those laid down in article 6, that control measures are as effective as those set out in articles 8 and 9, and that these control measures are effectively and permanently implemented. Equivalency between production methods in the EC and the export country is documented through the use of certification bodies having standards at least equivalent to those of the EC or a certification

programme that ensures certification against standards equivalent to those of the EC.

In general, the criteria for granting the import permit are shifting away from evaluation at the production level towards approval of the certification arrangements, including the certification bodies. In order to ensure equivalence in the effectiveness of inspection and certification measures, third-country certification bodies must satisfy the requirements of standards EN 45011 or ISO/IEC Guide 65:1996.

To obtain the detailed organic standards applied in major importing countries visit the following Web site: <http://www.organic-research.com/Laws&Regs/legislation.htm>.

3.3 How to obtain certification of organic fruit and vegetables in developing countries

As explained above, producers and exporters of organic fruit and vegetables seeking to sell their products under the organic label in developed countries have to obtain organic certification. This can be done by the certification bodies of the countries targeted for export, or by other foreign certification bodies, or under a partnership agreement between these two types of certification bodies. To date, relatively few developing countries have certification bodies within their borders, although the situation is changing.

Currently, certification for export in developing countries is often carried out by the certification bodies of the importing countries, even though there are some notable exceptions (e.g. Argentina). The advantage for the exporter is that the logos of these bodies are well known and trusted by consumers in their countries, thus giving the product a better visibility and commercial advantage. The major drawback is that this type of certification can be very expensive, especially when inspectors need to come from the country of the certification body. In order to reduce costs to producers and exporters, international certification bodies tend to use local organic inspectors. Many international certification bodies, such as Ecocert, OCIA or BCS-Öko, have established local branches in developing countries. These branches tend to recruit local staff, which reduces costs. When no local branch exists in a given country, there might be a regional branch in a nearby country that may send a team to carry out inspections and even certification.

Organic certification can also be carried out by local certification bodies in developing countries where these exist, provided that they are accredited by the authorities of the importing country. Experience to date shows that this can be a difficult and long process. To be accredited, a certification body must demonstrate that it complies with basic criteria of transparency and independence (freedom from the influence of vested interests). Certification bodies may be evaluated according to their ability to meet such criteria, and this requires an analysis of their certification systems, including an assessment of their personnel, standards and their inspection and certification procedures. An increasing number of importing countries require that certification bodies comply with the ISO 65 standard or equivalent norms which set out the details of such procedures.

Specific advice on how to establish local certification bodies is provided in the following publication by IFOAM (1997): *Building trust in organics: A guide to setting up organic certification programmes*, by Gunnar Rundgren.

Because accreditation of certification bodies in developing countries is difficult and therefore rare in practice, **local bodies tend to develop partnerships with international certification agencies.** In general, the local body carries out the bulk of the activities leading to certification, while the international body periodically evaluates the implementation of certification procedures and sometimes issues the certificates. This may reduce costs for the producers and exporters, while providing access to an international certification mark. It can also strengthen local inspection and certification capacity in the developing country.

4. Other requirements for exporting organic fruit and vegetables

In addition to the above requirements, which are specific to organic products, **organic fruit and vegetables destined for export should meet the usual requirements concerning all fresh fruit and vegetables, whether organic or conventional.** It is beyond the scope of this study to deal with these requirements, as several publications explain them and provide much detailed and practical information. The following is just a brief summary of the most frequent categories of requirements. **This list is not comprehensive; for more detailed information contact importers and customs services in the importing country.**

Phytosanitary certification

Import requirements depend on both the product and the country of origin. In general, a phytosanitary certificate issued by an official of the exporting country must accompany all fruit and vegetable shipments. This official will be able to determine if the particular fruit or vegetable can be exported to the country of destination and what phytosanitary requirements must be met.

Grade and quality standards

Fruits and vegetables exported to the EC, Japan or the United States must meet import requirements relating to size, grade, quality and maturity. A certificate based on an inspection must be issued by the country's relevant authority to indicate compliance with standards.

Pesticide and other contaminants

Most developed countries have established standards for tolerances for pesticides, herbicide and fungicides used in the production and treatment (e.g. fumigation) of agricultural products. These countries have established Maximum Residues Levels, often referred to as MRLs. As organic agriculture prohibits the use of most synthetic pesticides, producers of fresh organic fruit and vegetables are very unlikely to exceed these MRLs. However, those producers who use some of the few synthetic inputs permitted by organic standards should be aware of these requirements (for more information on this topic see: www.coleacp.org).

Import clearance

In general, the customs services of the importing country are responsible for the final approval and authorization for the importing of all products. Customs services review all documentation for the shipment against requirements and will not release goods from the port of entry until all requirements are met. They are also responsible for the collection of any import duties.

Annex I - Basic Concepts of Organic Agriculture

Accreditation. A procedure by which an authoritative body evaluates and gives a formal recognition that a certification programme is in accordance with the standards of the authoritative body.

Certification. A procedure by which a third party gives written assurance that a product, process or service is in conformity with certain standards. Certified organic food products are food products that have been verified to have been produced in accordance with specified standards for organic production and processing.

Certification body. An organization performing certification. Sometimes referred to as the certifier or the certification agency.

Certification label. A label or symbol indicating that compliance with standards has been verified.

Certification programme. A system of rules, procedures and management for carrying out certification. One certification body may execute several different certification

programmes. Sometimes referred to as a certification system.

Competent authority. The official government agency having jurisdiction.

Control, control body. Terms commonly used by the trade when referring to inspection and an inspection body.

Inspection. An on-site visit to verify that the performance of an operation is in accordance with specific standards of a certification programme. The **inspector** is the person appointed to undertake the inspection.

Inspection body. The body performing the inspection part of certification. Where a certification body performs its own inspections, the inspection body is identical to the certification body. Sometimes referred to as the inspection agency or the control body.

License. A document issued under the rules of a certification programme, by which a certification body grants a person or body the right to use certificates or certification labels for its products, processes or services in accordance with the rules of the relevant certification programme.

Operator. Anyone carrying out activities covered by a certification programme, for instance farmers, processors, handlers.

Organic. see section 1 of Chapter 1.

Standards. Documented agreements containing technical specifications or other precise criteria to be used consistently as rules, guidelines or definitions, to ensure that materials, products, processes and services are fit for their purpose. Standards relating to organic food products are production and/or processing standards describing, prescribing, allowing or prohibiting procedures and materials, as well as standards for certification and labelling.

Subcontractor. Anyone carrying out activities covered by a certification programme, for instance farmers, processors, handlers, on behalf of an operator.

EN 45010.^{1*} A European standard for accreditation developed by CEN and CENELEC.

EN 45011.^{*} A European standard for certification developed by CEN and CENELEC.

ISO/IEC Guide 61.^{*} An international guide to accreditation developed by the international standardization organizations ISO and IEC.

ISO/IEC Guide 65.^{*} An international guide to certification developed by ISO and IEC.

1 The EN 45000 series of standards and their corresponding ISO/IEC Guides lay down general criteria for the operation of testing and calibration laboratories, certification bodies for products, quality systems and personnel, inspection bodies, and accreditation bodies with the aim of ensuring confidence and reliability in the activities of these bodies. The EN 45000 standards are also referred to as harmonized standards.

