



Council of the
European Union

Brussels, 15 February 2017
(OR. en)

5551/17

**Interinstitutional File:
2016/0316 (NLE)**

**AGRI 32
AGRILEG 17
COMER 10**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Agreement between the European Union and the Republic of Chile on trade
in organic products

AGREEMENT
BETWEEN THE EUROPEAN UNION
AND THE REPUBLIC OF CHILE
ON TRADE IN ORGANIC PRODUCTS

THE EUROPEAN UNION, hereinafter referred to as “the Union”,

of the one part, and

THE REPUBLIC OF CHILE, hereinafter referred to as “Chile”,

of the other part,

hereinafter referred to collectively as “the Parties”,

RECOGNISING their longstanding and strong trade partnership based on the common principles and values reflected in the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part;

RESOLVED to contribute to the development and expansion of their organic sectors by creating new export opportunities;

DETERMINED to foster trade in organic products and convinced that this Agreement will facilitate trade of organically grown and produced products between the Parties;

SEEKING to achieve a high level of respect for the principles of organic production, of guarantee of the control systems and of integrity of organic products;

COMMITTED to enhancing regulatory cooperation on issues related to organic production;

RECOGNISING the importance of reciprocity and transparency in international trade for the benefit of all stakeholders;

BEARING in mind that the World Trade Organization (WTO) Agreement on Technical Barriers to Trade encourages WTO Members to give positive consideration to accepting as equivalent technical regulations of other Members, even if they differ from their own, provided that they are satisfied that those regulations adequately fulfil the objectives of their own regulations;

NOTING that permanent confidence in the continued reliability of the other Party's assessment procedures and control system is an essential element of such an acceptance of equivalence;

BUILDING on their respective rights and obligations under the Agreement establishing the WTO and other multilateral, regional and bilateral agreements and arrangements to which they are parties;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Purpose

The purpose of this Agreement is to foster trade in organically produced agricultural products and foodstuffs between the Union and Chile, in accordance with the principles of non-discrimination and reciprocity.

ARTICLE 2

Definitions

For the purposes of this Agreement, the following definitions shall apply:

- (1) “equivalence” means the capability of different laws and regulations, as well as inspection and certification systems to meet the same objectives;
- (2) “competent authority” means an official agency that has jurisdiction over the laws and regulations listed in Annex III or IV and is responsible for the implementation of this Agreement;
- (3) “control authority” means an authority of a Member State of the Union on which the relevant authority has conferred, in whole or in part, its competence for inspection and certification in the field of organic production in accordance with the laws and regulations listed in Annex III;

- (4) “control body” means an independent private entity carrying out inspection and certification in the field of organic production in accordance with the laws and regulations listed in Annex III or IV.

ARTICLE 3

Recognition of equivalence

1. With respect to the products listed in Annex I, the Union recognises the laws and regulations of Chile listed in Annex IV as equivalent to its laws and regulations listed in Annex III.
2. With respect to the products listed in Annex II, Chile recognises the laws and regulations of the Union listed in Annex III as equivalent to its laws and regulations listed in Annex IV.
3. In the event of modification, revocation or replacement of, or addition to, the laws and regulations listed in Annex III or IV, the new rules shall be considered equivalent to the other Party’s rules unless the other Party objects in accordance with the procedure set out in paragraph 4.

4. If a Party considers that the laws, regulations or administrative procedures and practices of the other Party no longer meet the requirements for equivalence, it shall issue a reasoned request to the other Party to amend the relevant law, regulation or administrative procedure or practice and provide an adequate timeframe, which shall not be less than three months, for ensuring equivalence. If, following the expiry of that period, the Party concerned still considers that the requirements for equivalence are not met, it may unilaterally suspend the recognition of equivalence of the laws and regulations listed in Annex III or IV as regards the relevant products listed in Annex I or II.
5. A decision to unilaterally suspend the recognition of equivalence of the laws and regulations listed in Annex III or IV as regards the relevant products listed in Annex I or II may also be taken, following the expiry of a notice period of three months, when one Party has not provided the information required under Article 6 or does not agree to a peer review under Article 7.
6. With respect to products not listed in Annex I or II, and in accordance with point (b) of Article 8(3), equivalence shall be examined at the request of one Party by the Joint Committee established pursuant to Article 8(1).

ARTICLE 4

Import and placing on the market

1. The Union shall accept the import into its territory, and the placing on the market as organic products, of the products listed in Annex I, provided that those products comply with the laws and regulations of Chile listed in Annex IV and are accompanied by a certificate of inspection, as provided for in Annex V of Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries, issued by a control body recognised by Chile and indicated to the Union in accordance with paragraph 3.
2. Chile shall accept the import into its territory, and the placing on the market as organic products, of the products listed in Annex II, provided that those products comply with the laws and regulations of the Union listed in Annex III and are accompanied by a certificate issued by a control authority or a control body of the Union in accordance with Resolution No 7880 of the National Directorate of the Agricultural and Livestock Service, of 29 November 2011, establishing the minimum content for the organic agriculture certificates, in the framework of Law 20.089.

3. Each Party recognises the control authorities or control bodies indicated by the other Party as responsible for performing the relevant controls as regards organic products covered by the recognition of equivalence as referred to in Article 3 and for issuing the certificate of inspection as referred to in paragraphs 1 and 2 of this Article with a view to their import into and placing on the market in the territory of the other Party.

The importing Party, in cooperation with the other Party, shall assign code numbers to each relevant control authority and control body indicated by the other Party.

ARTICLE 5

Labelling

1. Products imported from one Party by the other Party in accordance with this Agreement shall meet the requirements on labelling set out in the laws and regulations of the other Party listed in Annexes III and IV. Those products may bear the Union's organic logo, the Chilean organic logo or both logos, as set out in the relevant laws and regulations, provided that they comply with the labelling requirements for the respective logo or for both logos.

2. The Parties undertake to avoid any misuse of the terms referring to organic production, including derivatives or diminutives such as "bio" and "eco", in relation to products that are covered by the recognition of equivalence referred to in Article 3.

3. The Parties undertake to protect the Union's organic logo and the Chilean organic logo set out in the relevant laws and regulations against any misuse or imitation. The Parties shall ensure that the Union's organic logo and the Chilean organic logo are used only for the labelling, advertising or commercial documents of products complying with the laws and regulations listed in Annexes III and IV.

ARTICLE 6

Exchange of information

The Parties shall exchange all relevant information with respect to the implementation and application of this Agreement. In particular, by 31 March of the second year following the entry into force of this Agreement, and subsequently by 31 March of each year, each Party shall send to the other:

- a report that contains information with respect to the types and quantities of organic products exported under this Agreement, covering the period from January to December of the previous year; and
- a report on the monitoring and supervisory activities carried out by the competent authority, the results obtained and the corrective measures taken, covering the period from January to December of the previous year.

At any time, each Party shall without delay inform the other Party of:

- any update to the list of its competent authorities, control authorities and control bodies, including the relevant contact details (in particular the address and the internet address);
- any changes or repeals it intends to make in respect of laws or regulations listed in Annexes III and IV, any proposals for new laws or regulations or any relevant changes to administrative procedures and practices related to organic products listed in Annexes I and II;
- any changes or repeals it has adopted in respect of laws or regulations listed in Annexes III and IV, any new legislation or relevant changes to administrative procedures and practices related to organic products listed in Annexes I and II; and
- any changes to the internet addresses set out in Annex V.

ARTICLE 7

Peer reviews

1. Following advance notice of at least three months, each Party shall permit officials or experts designated by the other Party to conduct peer reviews in its territory to verify that the relevant control authorities and control bodies are carrying out the controls required under this Agreement.
2. Each Party shall cooperate with and assist the other Party, to the extent permitted under the applicable law, in carrying out the peer reviews referred to in paragraph 1, which may include visits to offices of relevant control authorities and control bodies, processing facilities and certified operators.

ARTICLE 8

Joint Committee on Organic Products

1. The Parties hereby establish a Joint Committee on Organic Products (“the Joint Committee”) composed of duly appointed representatives of the Union, on the one hand, and representatives of the Government of Chile, on the other hand.
2. Consultations shall be held in the Joint Committee to facilitate the implementation, and to further the purpose, of this Agreement.

3. The functions of the Joint Committee shall be to:
- (a) manage this Agreement, taking the decisions necessary for its implementation and its good functioning;
 - (b) examine any request by one Party to update or extend to new products the list of products in Annex I or II and to adopt a decision to modify Annex I or II if equivalence is recognised by the other Party;
 - (c) enhance cooperation on laws, regulations, standards and conformity-assessment procedures concerning organic production, to which end it shall discuss any other technical or regulatory issue related to organic production rules and control systems with a view to increasing convergence between laws, regulations and standards;
 - (d) consider any other issue with respect to the implementation of this Agreement.
4. The Parties shall, in accordance with their respective laws and regulations, implement the decisions adopted by the Joint Committee under point (b) of paragraph 3 and inform each other thereof within three months of their adoption¹.
5. The Joint Committee shall operate by consensus. It shall adopt its own rules of procedure. It may establish subcommittees and working groups to deal with specific issues.

¹ Chile shall implement the decisions of the Joint Committee through *Acuerdos de Ejecución*, in accordance with Article 54, numeral 1, fourth paragraph, of the Political Constitution of the Republic of Chile (*Constitución Política de la República de Chile*).

6. The Joint Committee shall inform the Committee on Standards, Technical Regulations and Conformity Assessment established pursuant to Article 88 of the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, of its decisions and work.

7. The Joint Committee shall meet once a year, in the Union and Chile alternately, on a mutually agreed date. If both Parties agree, a meeting of the Joint Committee may be held by means of video- or teleconference.

8. The Joint Committee shall be co-chaired by the two Parties.

ARTICLE 9

Settlement of disputes

Any dispute relating to the interpretation or application of this Agreement shall be resolved through consultations between the Parties within the Joint Committee. The Parties shall present to the Joint Committee the relevant information required for a thorough examination of the matter, with a view to resolving the dispute.

ARTICLE 10

Confidentiality

Representatives, experts and other agents of the Parties shall be required, even after their duties have ceased, not to disclose any information obtained in the framework of this Agreement that is covered by the obligation of professional secrecy.

ARTICLE 11

Review

1. Where either Party seeks a review of this Agreement, it shall submit a reasoned request to the other Party.
2. The Parties may entrust the Joint Committee with the task of considering any such request and, if appropriate, putting forward recommendations, in particular with a view to opening negotiations on parts of this Agreement that cannot be changed in accordance with point (b) of Article 8(3).

ARTICLE 12

Implementation of the Agreement

The Parties shall take all steps, whether general or specific, to ensure compliance with the obligations under this Agreement. They shall abstain from any measure that is liable to jeopardise the attainment of the purpose of this Agreement.

ARTICLE 13

Annexes

The Annexes to this Agreement shall form an integral part thereof.

ARTICLE 14

Territorial scope

This Agreement shall apply, on the one hand, to the territories to which the Treaty on the Functioning of the European Union is applied and under the conditions set out in that Treaty and, on the other hand, to the territory of Chile.

ARTICLE 15

Entry into force and duration

This Agreement shall enter into force on the first day of the third month following the final notification of the completion of the necessary internal procedures by each Party.

This Agreement is concluded for an initial period of three years. It shall be renewed indefinitely unless the Union or Chile notifies the other Party of its objection to such renewal before the initial period expires.

Either Party may notify the other Party in writing of its intention to denounce this Agreement. The denunciation shall take effect three months after the notification.

ARTICLE 16

Authentic texts

This Agreement is signed in duplicate in English and Spanish, each text being equally authentic.

Done at, the ... day of of 2017

For the European Union

For the Government of the
Republic of Chile

Organic products from Chile
for which the Union recognises equivalence

Codes and description of the Harmonised System nomenclature		Comments
0409	Natural honey	
06	LIVE TREES AND OTHER PLANTS; BULBS, ROOTS AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE	
The following codes of this chapter are included only if unprocessed		
0603	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	
0603 90	Other	
0604	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	
0604 90	Other	
07	EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS	
08	EDIBLE FRUIT AND NUTS; PEEL OF CITRUS FRUIT OR MELONS	
09	COFFEE, TEA, MATÉ* AND SPICES	* Excluded
10	CEREALS	

Codes and description of the Harmonised System nomenclature		Comments
11	PRODUCTS OF THE MILLING INDUSTRY; MALT; STARCHES; INULIN; WHEAT GLUTEN	
12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL OR MEDICINAL PLANTS; STRAW AND FODDER	
The following codes of this chapter are excluded or limited:		
1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh, chilled, frozen or dried, whether or not cut, crushed or powdered	Included only if unprocessed or processed for use as food
1212 21	Seaweeds and other algae	Excluded
1212 21	Fit for human consumption	Excluded
1212 29	Other	Excluded
13	LAC; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS	
The following codes of this chapter are excluded or limited:		
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Excluded
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products	Included only if processed for use as food
1302 11	Opium	Excluded
1302 19	Other	Excluded
14	VEGETABLE PLAITING MATERIALS; VEGETABLE PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED	

Codes and description of the Harmonised System nomenclature		Comments
15	ANIMAL OR VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS; PREPARED EDIBLE FATS; ANIMAL OR VEGETABLE WAXES	
The following codes of this chapter are excluded or limited:		
1501	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503	Included only if processed for use as food
1502	Fats of bovine animals, sheep or goats, other than those of heading 1503	Included only if processed for use as food
1503	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	Included only if processed for use as food
1505	Wool grease and fatty substances derived therefrom (including lanolin)	Excluded
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	Excluded
1515 30	Castor oil and its fractions	Excluded
1515 90	Other	For this subchapter, jojoba oil is excluded. Other products are included only if processed for use as food.
1516 20	Vegetable fats and oils and their fractions	Included only if processed for use as food

Codes and description of the Harmonised System nomenclature		Comments
1518	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included	Excluded
1520	Glycerol, crude; glycerol waters and glycerol lyes	Excluded
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured	Excluded except vegetable waxes if processed for use as food
17	SUGARS AND SUGAR CONFECTIONERY	
18	COCOA AND COCOA PREPARATIONS	
19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK; PASTRY COOKS' PRODUCTS	
20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS	
21	MISCELLANEOUS EDIBLE PREPARATIONS	
22	BEVERAGES, SPIRITS AND VINEGAR	
The following codes of this chapter are excluded or limited:		
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Excluded
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	Excluded

Codes and description of the Harmonised System nomenclature		Comments
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol.; spirits, liqueurs and other spirituous beverages	Included only if processed from agricultural products, for use as food
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Included only if used for food

Conditions:

Organic products listed in this Annex shall be unprocessed agricultural products produced in Chile and processed agricultural products for use as food that have been processed in Chile with organically grown ingredients that have been produced in Chile or that have been imported into Chile either from the Union or from a third country in the framework of a regime that is recognised as equivalent by the Union in accordance with the provisions of Article 33(2) of Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91.

Organic products from the Union
for which Chile recognises equivalence

Codes and description of the Harmonised System nomenclature		Comments
01	LIVE ANIMALS	The products of hunting and fishing of wild animals shall not be considered as organic production.
02	MEAT AND EDIBLE MEAT OFFAL	Meat and edible meat offal from hunting and fishing of wild animals is excluded.
03	FISH AND CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES	Fishing of wild animals is excluded.
04	DAIRY PRODUCE; BIRDS' EGGS; NATURAL HONEY; EDIBLE PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED	
05	PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED	
The following codes of this chapter are excluded:		
0501	Human hair, unworked, whether or not washed or scoured; waste of human hair	

Codes and description of the Harmonised System nomenclature		Comments
0502	Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair	
0502 10	Pigs', hogs' or boars' bristles and hair and waste thereof	
0502 90	Other	
0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers	
0506	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products	
0507	Ivory, tortoiseshell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products	
0510	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved	
0511 91	Other	
0511 99	Natural sponges of animal origin	

Codes and description of the Harmonised System nomenclature		Comments
06	LIVE TREES AND OTHER PLANTS; BULBS, ROOTS AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE	
The following codes of this chapter are included only if unprocessed:		
0603	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	
0603 90	Other	
0604	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	
0604 90	Other	
07	EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS	
08	EDIBLE FRUIT AND NUTS; PEEL OF CITRUS FRUIT OR MELONS	
09	COFFEE, TEA, MATÉ* AND SPICES	* Excluded
10	CEREALS	
11	PRODUCTS OF THE MILLING INDUSTRY; MALT; STARCHES; INULIN; WHEAT GLUTEN	

Codes and description of the Harmonised System nomenclature		Comments
12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL OR MEDICINAL PLANTS; STRAW AND FODDER	
The following codes of this chapter are excluded or limited:		
1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh, chilled, frozen or dried, whether or not cut, crushed or powdered	Included only if unprocessed or processed for use as food or feed
13	LAC; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS	
The following codes of this chapter are excluded or limited:		
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Excluded
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products	Included only if processed for use as food or feed
1302 11	Opium	Excluded
1302 19	Other	Excluded
14	VEGETABLE PLAITING MATERIALS; VEGETABLE PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED	

Codes and description of the Harmonised System nomenclature		Comments
15	ANIMAL OR VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS; PREPARED EDIBLE FATS; ANIMAL OR VEGETABLE WAXES	
The following codes of this chapter are excluded or limited:		
1501	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503	Included only if processed for use as food or feed
1502	Fats of bovine animals, sheep or goats, other than those of heading 1503	Included only if processed for use as food or feed
1503	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	Included only if processed for use as food or feed
1505	Wool grease and fatty substances derived therefrom (including lanolin)	Excluded
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	Excluded
1515 30	Castor oil and its fractions	Excluded
1515 90	Other	For this subchapter, jojoba oil is excluded. Other products are included only if processed for use as food or feed.

Codes and description of the Harmonised System nomenclature		Comments
1520	Glycerol, crude; glycerol waters and glycerol lyes	Included only if processed for use as food or feed.
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured	Only vegetable waxes included if processed for use as food and feed
16	PREPARATIONS OF MEAT, OF FISH OR OF CRUSTACEANS, MOLLUSCS OR OTHER AQUATIC INVERTEBRATES	
17	SUGARS AND SUGAR CONFECTIONERY	
18	COCOA AND COCOA PREPARATIONS	
19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK; PASTRY COOKS' PRODUCTS	
20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS	
21	MISCELLANEOUS EDIBLE PREPARATIONS	
22	BEVERAGES, SPIRITS AND VINEGAR	
The following codes of this chapter are excluded or limited:		
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Excluded
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	Excluded

Codes and description of the Harmonised System nomenclature		Comments
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol.; spirits, liqueurs and other spirituous beverages	Included only if processed from agricultural products, for use as food
23	RESIDUES AND WASTE FROM THE FOOD INDUSTRIES; PREPARED ANIMAL FODDER	
The following code of this chapter is limited:		
2307	Wine lees; argol	Argol is excluded
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Included only if used for food
45	CORK AND ARTICLES OF CORK	Included only if unprocessed
53	OTHER VEGETABLE TEXTILE FIBRES; PAPER YARN AND WOVEN FABRICS OF PAPER YARN	Included only if unprocessed

Conditions:

Organic products listed in this Annex shall be unprocessed and processed agricultural products that are produced or processed in the Union.

Organic legislation applicable in the Union

Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, as last amended by Council Regulation (EC) No 517/2013.

Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control, as last amended by Commission Implementing Regulation (EU) No 1358/2014.

Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries, as amended by Commission Implementing Regulation (EU) 2015/931.

Organic legislation applicable in Chile

Law 20.089, of 17 January 2006, that creates a National Certification System for Agricultural Organic Products.

Decree n° 03 of 29 January 2016, of the Ministry of Agriculture, that approves the Regulation of Law 20.089 that creates a National Certification System for Agricultural Organic Products.

Decree n° 02 of 22 January 2016, of the Ministry of Agriculture, that approves the Technical Rules of Law 20.089 that creates a National Certification System for Agricultural Organic Products.

Resolution n° 569 of the National Directorate of the Agricultural and Livestock Service, of 7 February 2007, establishing standards for registration of organic products' certification bodies.

Resolution n° 1110 of the National Directorate of the Agricultural and Livestock Service, of 4 March 2008, approving the official label for organic products and equivalents.

Resolution n° 7880 of the National Directorate of the Agricultural and Livestock Service, of 29 November 2011, establishing the minimum content for the organic agriculture certificates, in the framework of Law 20.089.

Internet addresses

where the laws and regulations listed in Annexes III and IV including any modification, revocation, replacement or addition, as well as consolidated versions, and any new legislation for products that have been listed in Annex I or II in accordance with point (b) of Article 8(3) can be consulted:

Union: <http://eur-lex.europa.eu>

Chile: <http://www.sag.gob.cl/ambitos-de-accion/certificacion-de-productos-organicos-agricolas/132/normativas>