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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	23 November 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2026) 8242 final
Subject:	COMMISSION DELEGATED REGULATION (EU) …/... of 23.11.2026 amending Commission Delegated Regulation (EU) 2021/1342 as regards the expiry date of the recognition of third countries recognised for the purposes of equivalence under Article 33(2) of Council Regulation (EC) No 834/2007

Delegations will find attached document C(2026) 8242 final.

Encl.: C(2026) 8242 final

EUROPEAN
COMMISSION

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COMMISSION DELEGATED REGULATION (EU) …/...

of 23.11.2026

amending Commission Delegated Regulation (EU) 2021/1342 as regards the expiry date of the recognition of third countries recognised for the purposes of equivalence under Article 33(2) of Council Regulation (EC) No 834/2007

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Delegated Regulation (EU) 2021/1342[1] supplements Regulation (EU) 2018/848 with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007[2] for imported organic products and the measures to be taken in the exercise of that supervision.

In particular, the third paragraph of Article 5 of the above-mentioned Delegated Regulation sets out the expiry date for the application of the provisions on the supervision and review of the recognition of those equivalent third countries by the Commission with the assistance of the Member States.

The expiry date for the recognition of the third countries whose organic production and control systems have been recognised as equivalent to those of the Union, is set out in Article 48(1) of Regulation (EU) 2018/848 as regards certain production, labelling and certification rules and certain rules on trade with third countries[3].

In order to ensure effective supervision and the possibility to review those equivalencies for the duration of their application, it is necessary to ensure that no discrepancies arise in the dates provided for in Article 48(1) of Regulation (EU) 2018/848 and in the third paragraph of Article 5 of Delegated Regulation (EU) 2021/1342.

Technical exchanges with those third countries with a view to concluding agreements on trade in organic products are ongoing. In its proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/848 as regards certain production, labelling and certification rules and certain rules on trade with third countries[4] the Commission proposed to extend the expiry date set out in Article 48(1) of that Regulation until 31 December 2036 to avoid disruptions in the trade of organic products.

This amendment replaces the date in the third paragraph of Article 5 of Delegated Regulation (EU) 2021/1342 with a cross-reference to the date set out in Article 48(1) of Regulation (EU) 2018/848 in order to align the application of Delegated Regulation (EU) 2021/1342 with that date.

The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 expired on 31 December 2024, in accordance with Article 57(1) of Regulation (EU) 2018/848. Accordingly, this amendment deletes provisions and references relating to those control authorities and control bodies in Delegated Regulation (EU) 2021/1342 as they are no longer applicable.

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1 Commission Delegated Regulation (EU) 2021/1342 of 27 May 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007 for imported organic products and the measures to be taken in the exercise of that supervision (OJ L 292, 16.8.2021, p. 20).

2 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 (OJ L 189, 20.7.2007, p. 1).

3 Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

4 COM/2025/780 final.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The act was discussed with the Group of Experts on Organic Production. DG AGRI cooperated as required with other DGs in the field of their specific expertise when drafting these rules. The draft delegated regulation was published for feedback on the European Commission portal “Have your say” from 31 July to 28 August 2026. Four contributions were received. Three of these appear to be from private citizens with one expressing support for the proposal, one disagreeing and the third expressing concerns on transparency. The fourth contribution was from an economic entity active in organics. They considered the proposed amendments reasonable. No modifications were deemed necessary following the public consultation.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This delegated act replaces the date in the third paragraph of Article 5 of Delegated Regulation (EU) 2021/1342 with a cross-reference to the date set out in Article 48(1) of Regulation (EU) 2018/848.

The delegated act also deletes the provisions and references relating to control authorities and control bodies recognised in accordance with Article 33(3) of Regulation (EC) No 834/2007, following the expiry of their recognition on 31 December 2024.

COMMISSION DELEGATED REGULATION (EU) …/...

of 23.11.2026

amending Commission Delegated Regulation (EU) 2021/1342 as regards the expiry date of the recognition of third countries recognised for the purposes of equivalence under Article 33(2) of Council Regulation (EC) No 834/2007

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007[5], and in particular Article 48(4) and Article 57(3) thereof,

Whereas:

(1) Commission Delegated Regulation (EU) 2021/1342[6] supplements Regulation (EU) 2018/848 with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007[7] for imported organic products and the measures to be taken in the exercise of that supervision.

(2) Following the expiry, pursuant to Article 57(1) of Regulation (EU) 2018/848, of the recognition of control authorities and control bodies in accordance with Article 33(3) of Regulation (EC) No 834/2007 on 31 December 2024, provisions and references in Delegated Regulation (EU) 2021/1342 relating to those control authorities and control bodies should be deleted.

(3) Since the expiry date of the recognition of a third country for the purposes of equivalence under Article 33(2) of Regulation (EC) No 834/2007 is set out in Regulation (EU) 2018/848, the application of Delegated Regulation (EU) 2021/1342 should be aligned with that date.

(4) Delegated Regulation (EU) 2021/1342 should therefore be amended accordingly,

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5 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 (OJ L 189, 20.7.2007, p. 1, ELI: http://data.europa.eu/eli/reg/2007/834/oj).

6 Commission Delegated Regulation (EU) 2021/1342 of 27 May 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the information to be sent by third countries and by control authorities and control bodies for the purpose of supervision of their recognition under Article 33(2) and (3) of Council Regulation (EC) No 834/2007 for imported organic products and the measures to be taken in the exercise of that supervision (OJ L 292, 16.8.2021, p. 20, ELI: http://data.europa.eu/eli/reg_del/2021/1342/oj).

7 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 (OJ L 189, 20.7.2007, p. 1, ELI: http://data.europa.eu/eli/reg/2007/834/oj).

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2021/1342

Delegated Regulation (EU) 2021/1342 is amended as follows:

(1) the title is replaced by the following:

‘Commission Delegated Regulation (EU) 2021/1342 of 27 May 2021 supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council with rules on the information to be sent by third countries for the purpose of supervision of their recognition under Article 33(2) of Council Regulation (EC) No 834/2007 for imported organic products and on the measures to be taken in the exercise of that supervision’;

(2) Articles 2 and 4 are deleted;

(3) Article 4a is amended as follows:

(a) paragraph 2 is deleted;

(b) paragraph 3 is replaced by the following:

‘3. The Commission may divide the requests for assistance between the Member States proportionally with the number of votes of each Member State in the Committee on organic production.’;

(4) Article 5 is amended as follows:

(a) the third paragraph is replaced by the following:

‘Articles 1, 3 and Article 4a(1) shall apply until the expiry date of the recognition as set out in Article 48(1), second subparagraph, of Regulation (EU) 2018/848.’;

(b) the fourth paragraph is deleted.

Article 2

Entry into force

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23.11.2026

For the Commission
The President
Ursula VON DER LEYEN