



Council of the
European Union

Brussels, 24 June 2021
(OR. en)

9513/21

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION authorising the opening of negotiations with Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, South Korea, Tunisia and the United States with a view to concluding agreements on trade in organic products

COUNCIL DECISION (EU) 2021/...

of ...

**authorising the opening of negotiations with Argentina, Australia, Canada,
Costa Rica, India, Israel, Japan, New Zealand, South Korea,
Tunisia and the United States
with a view to concluding agreements on trade in organic products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) Regulation (EU) 2018/848 of the European Parliament and the Council¹ establishes the possibility to grant access to the Union market for organic products coming from third countries that have been recognised under a trade agreement as having a system of production meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity as those of the Union.
- (2) In accordance with Regulation (EU) 2018/848, the recognition for the purposes of equivalence of third countries on the basis of Council Regulation (EC) No 834/2007² will expire on 31 December 2026. Therefore, it is necessary to open negotiations with a view to concluding agreements on trade in organic products with certain third countries concerned.
- (3) In accordance with Regulation (EC) No 834/2007, the Commission established a list of recognised third countries in Annex III to Commission Regulation (EC) No 1235/2008³.

¹ Regulation (EU) 2018/848 of the European Parliament and 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).

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 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 (OJ L 334, 12.12.2008, p. 25).

- (4) The trade in organic products between the Union and Switzerland is covered by the Agreement between the European Community and the Swiss Confederation on trade in agriculture products¹ ('the Agreement with Switzerland'). Switzerland was listed in Annex III to Regulation (EC) No 1235/2008 for transparency reasons. The Agreement with Switzerland provides for a mechanism to update the agreement in the case of changes to the laws and regulations of one of the parties. It is therefore not necessary to open negotiations with Switzerland.
- (5) Chile is recognised as an equivalent third country by means of the Agreement between the European Union and the Republic of Chile on trade in organic products² ('the Agreement with Chile'). Chile was listed in Annex III to Regulation (EC) No 1235/2008 for clarity reasons. The Agreement with Chile provides for the possibility of adapting the recognition in the case of changes to the laws and regulations of one of the parties. It is therefore not necessary to open negotiations with Chile.

¹ OJ L 114, 30.4.2002, p. 132.

² OJ L 331, 14.12.2017, p. 4.

- (6) The Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, on the one part, and the United Kingdom of Great Britain and Northern Ireland, on the other part,¹ established the reciprocal recognition of equivalence of the current laws and regulations on organic products and the recognition of the control systems of both parties to the Agreement. Annex 14 to that Agreement, on organic products, provides that, since Regulation (EU) 2018/848 is to apply from 1 January 2022, the equivalency recognition is to be reassessed by each Party by 31 December 2023. It is therefore not necessary to open negotiations with the United Kingdom.
- (7) Therefore, negotiations should be opened with Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, South Korea, Tunisia and the United States with a view to concluding agreements on trade in organic products.
- (8) In order to enable the Union to pursue reciprocal relations with third countries concerning trade in organic products, it is appropriate to set out negotiating directives for agreements allowing the Union and the third country concerned to acknowledge the equivalence of their organic production standards and control systems,

HAS ADOPTED THIS DECISION:

¹ OJ L 149, 30.4.2021, p. 10.

Article 1

1. The Commission is hereby authorised to open negotiations with Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, South Korea, Tunisia and the United States with a view to concluding agreements on trade in organic products.
2. The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 2

The negotiations shall be conducted in consultation with the Special Committee on Agriculture.

Article 3

This Decision is addressed to the Commission.

Done at ...,

For the Council

The President
