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DECLASSIFICATION

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



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THE EUROPEAN UNION**

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION authorising the opening of negotiations on agreements between the European Union and third countries on trade in organic products

DECLASSIFIED

COUNCIL DECISION

of

authorising the opening of negotiations on agreements between the European Union and third countries 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 Articles 207(3) and 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) In its conclusions on organic farming of the 3237th Agriculture and Fisheries Council meeting, the Council of the European Union encouraged the Commission to improve the current mechanisms to facilitate international trade in organic products and require reciprocity and transparency in any trade agreements.
- (2) The Commission and the Member States were called on to ensure that the import procedure is robust and does not put Union operators at a disadvantage. The on-going review of the current organic farming policy aims at improving the conditions of competition for Union organic products. Considering these circumstances and the horizontal nature of these negotiations, it is appropriate to foresee a limitation of the duration of this Decision.
- (3) Negotiating directives for agreements with one or more third countries allowing the Parties to acknowledge the equivalency of their organic production standards and control bodies would enable the Union to pursue reciprocal relations with third countries concerning trade in organic products.

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to negotiate, on behalf of the Union, international agreements on trade in organic products.

Article 2

The negotiating directives are set out in the Annex.

Article 3

The negotiations shall be conducted in consultation with the Special Committee on Agriculture. The Commission shall report regularly to this committee on the progress of negotiations.

Article 4

This Decision shall be valid for a period of three years from the date of its adoption or, if earlier, until the adoption by the Council and the European Parliament of a legislative act on organic production and labelling of organic products.

Article 5

This Decision is addressed to the Commission.

Done at Brussels,

For the Council

The President

ANNEX

Directives for the negotiation of agreements between the European Union and third countries on trade in organic products

1. The Commission may enter into negotiations with third countries with a view to achieving balanced agreements on the equivalency of the organic production standards and control systems.
2. The negotiations shall aim to facilitate trade in organic products, on a reciprocal and mutually beneficial basis.
3. The negotiations shall also consider transforming the existing bilateral arrangements on organic production into agreements with one or more third countries.
4. The negotiations may concern products as referred to in Article 1(2) of Council Regulation (EC) No 834/2007 which are obtained or produced in the territories of the EU and in the territory of the other relevant Parties,
5. The Commission shall endeavour to achieve a high level of respect of the principles of the organic production rules and of guarantee of the control system, including surveillance, as laid down in Council Regulation (EC) No 834/2007.
6. The Commission shall aim at achieving protection of the terms, their derivatives or diminutives and the European Union logo referring to EU organic production in order to reserve their use in the labelling of products in conformity with Council Regulation (EC) No 834/2007.
7. The Commission shall take into consideration the principles and production rules of *Codex alimentarius* guidelines CAC/GL 32.
8. Unless otherwise is provided for in the negotiating directives for a Free Trade Agreement with a partner in question, the Commission shall apply the current negotiating directives to provisions related to trade of organic products, when considering addressing organic trade matters in current or future Free Trade Agreement negotiations between the EU and third countries. In each and every case, the Commission needs to achieve a high level of respect of the principles of the organic production rules and of guarantee of the control system, including surveillance.

9. The Commission shall conduct these negotiations on the basis of these negotiating directives, taking into account in particular the principles and mechanisms of the Treaty on the Functioning of the European Union and the obligations arising from WTO rules.
10. The Agreement should provide for the contracting parties to take appropriate measures in the event of lack of administrative co-operation or management.
11. Before initiating negotiations with a third country the Commission shall inform the Special Committee referred to in the above Decision.

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