

May 25, 2012

**TO: National Organic Program Accredited Certifying Agents
Operating in the United States**

FROM: Miles McEvoy, Deputy Administrator 

RE: Exporting USDA Organic Products to the European Union

Beginning June 1, 2012, certified organic products of the United States (U.S.) and the European Union (EU) can be represented as organic in each other's market. This memo provides instructions for NOP-accredited organic certifying agents per § 205.501(a)(21) to ensure that organic products exported to the EU meet the terms of the trade partnership.

Terms of the Arrangement. In addition to certification to the USDA organic regulations, all products traded under the organic trade partnership must meet the following requirements:

1. Organic apples, pears, and ingredients from organic apples and pears must be produced without antibiotics. Antibiotics may not be used for at least 3 years prior to the harvest of the organic apple or pear.
2. Products must travel with an EU import certificate (Certificate of Inspection) that has been completed by an NOP-accredited certifying agent.
3. Products must be either produced or have had final processing or packaging occur within the U.S.

EU Import Certificate. NOP-accredited certifying agents must complete an EU import certificate for all products traded under the partnership. Certifying agents must provide the signed EU import certificates to the certified operation so that it may travel with the product to the EU. Download EU import certificate and instructions: <http://bit.ly/eu-import-certificate>

Wine. Organic wine and wine "made with organic grapes" may be exported to the EU under the arrangement if it meets the following criteria:

1. Contains 100 percent organic grapes and organic ingredients. Non-organic substances not allowed under 7 CFR 205.605 are prohibited.
2. Have been produced only using the winemaking practices and substances detailed in the EU organic regulations: <http://bit.ly/eu-organic-wine>

Please note that organic wine may be labeled with the USDA organic seal and—beginning August 1, 2012—the EU organic logo.

Labeling

Retail Products

For retail products, labels must include the code that the EU has assigned to each NOP-accredited certifying agent, listed at <http://bit.ly/eu-certifier-codes>. Labels or stickers may also include the name of the U.S. or EU certifying agent.

Organic products. Products certified as “organic” in the U.S. and meet the terms of the arrangement listed above may be sold as “organic” in the EU. Products may include the EU organic logo and/or the USDA organic seal.

100% organic products. The EU does not have a labeling category for 100% organic products. Products meeting the terms of the arrangement listed above may be labeled “organic” and include the EU organic logo and/or the USDA organic seal.

“Made with” organic products. The EU does not have a labeling category for “made with” organic products. For products containing less than 95% organic ingredients, a percentage statement of organic content may be displayed on the label. Products may not be labeled with the EU organic logo or the USDA organic seal.

Bulk Products

Lot number must be present that allows for a complete audit trail to verify the product’s integrity.

For more information on labeling, please see the EU organic regulations, available here: http://ec.europa.eu/agriculture/organic/eu-policy/legislation_en#regulation.