



Schweizerische Eidgenossenschaft
Confédération suisse
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Federal Department of Economic Affairs,
Education and Research EAER

Federal Office for Agriculture FOAG
Quality and Sales Promotion Unit

CH-3003 Bern, BLW, sas

Ceres GmbH
Vorderhaslach 1
91230 Happurg
Germany
(via Swiss Embassy)

Reference/file number:
Your reference:
Our reference: sas
Responsible official: Sabine Schäfer
Bern, 26.02.2015

Ruling relating to recognition of a certification body

In the matter of

Ceres GmbH, Vorderhaslach 1, 91230 Happurg, Germany

relating to

request of 28 November, 2014 for recognition of a certification body/inspection authority; by this ruling the Federal Office for Agriculture FOAG hereby recognises that the certification and control procedures established and applied by the Ceres GmbH and thus the products certified by this body and subsequently imported into Switzerland from certain countries and certain categories of products meet the requirements laid down in Article 22 of the Ordinance on Organic Farming and the Labelling of Organically Produced Products and Foodstuffs of 22 September 1997 (Organic Farming Ordinance, SR 910.18);

based on Article 23a of the Organic Farming Ordinance, which states that, upon request, the Federal Office for Agriculture (FOAG) may recognise certification bodies and inspection authorities of countries which are not included in the list referred to in Article 23 of the Organic Farming Ordinance, if the certification bodies or inspection authorities prove that the products in question meet the conditions laid down in Article 22 of the Organic Farming Ordinance;

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upon inspection of:

- the aforementioned request of 28. November, 2014;
- the subsequent additional information of 30.11., 05.12. and 08.12.2014 ;

and

whereas

- the applicant was able to prove that the products inspected and certified by it under the standard "Policy on Certification equivalent to (EC) 834/2007 in Third Countries" (Ceres 4.1.1en Pol, dated 20.09.2014), equivalent to Regulation (EC) 834/2007, have been produced and prepared in accordance with rules which are equivalent to those in Chapters 2 and 3 of the Organic Farming Ordinance and that production is subject to an inspection procedure equivalent to that in Chapter 5 of the Organic Farming Ordinance; there is one exception: Switzerland does not accept piperonyl-butoxide (PBO) as synergist for pyrethrum in Organic Farming; the use of PBO or PBO-containing inputs for products which shall be exported to Switzerland is not allowed;
- these products can therefore be marketed in Switzerland with the reference to organic farming;
- the conversion period for new acreage based on Article 8 (1) of the Organic Farming Ordinance is still two years and retrospective recognition or shortening of conversion periods is not permitted;
- there is a higher risk of GMO contamination for soya and therefore compliance with the prohibition of genetically modified organisms GMO in accordance with Article 3 of the Organic Farming Ordinance must be explicitly proven by suitable means, such as, e.g. analyses;
- based on the documents presented to date, the FOAG is not able to make a decision for the whole of the area applied for by the Ceres GmbH. In order to nevertheless allow the simplified import procedure for part of the area applied for in the request, the FOAG already recognises part of the area applied for. The remaining area applied for will be subject of a further ruling at a later date;

it is ordered:

1. The Ceres GmbH shall be recognised with regard to the equivalence of the products from countries and product categories inspected and certified by it under the Policy on Certification equivalent to (EC) 834/2007 in Third Countries (Ceres 4.1.1en Pol, dated 20.09.2014), equivalent to Regulation (EC) 834/2007, in accordance with the table below.

Country	Code number	Product categories				
		Unprocessed plant products	Live or unprocessed live-stock products	Processed foodstuffs ¹	Processed feed ¹	Seeds and plants, vegetative propagating material
Ägypten	EG-BIO-140	x	x	x		
Albania	AL-BIO-140	x		x		
Aserbaidshan	AZ-BIO-140	x		x		
Äthiopien	ET-BIO-140	x		x		
Benin	BJ-BIO-140	x		x		
Bolivien	BO-BIO-140	x		x		
Brasilien	BR-BIO-140	x	x	x		
Burkina Faso	BF-BIO-140	x		x		
Chile	CL-BIO-140	x	x	x		
China	CN-BIO-140	x	x	x		
Dominikanische Republik	DO-BIO-140	x		x		
Ecuador	EC-BIO-140	x		x		
Ehemalige jugoslawische Republik Mazedonien	MK-BIO-140	x		x		
Ghana	GH-BIO-140	x				
Grenada	GD-BIO-140	x		x		
Indonesien	ID-BIO-140	x		x		
Iran	IR-BIO-140	x		x		

¹ Ingredients have to be certified by a recognized certification body or inspection authority according to Article 23a of Swiss Organic Farming Ordinance (SR 910.18) or produced and certified within the scope of a recognized country according to Article 23 of Swiss Organic Farming Ordinance (SR 910.18) or produced and certified in Switzerland in accordance with the Swiss ordinances on organic farming (SR 910.18 and SR 910.181).

		Unprocessed plant products	Live or unpro- cessed live- stock products	Processed foodstuffs	Processed feed	Seeds and plants, vegeta- tive propagating material
Jamaika	JM-BIO-140	x		x		
Kasachstan	KZ-BIO-140	x		x		
Kenia	KE-BIO-140	x		x		
Kirgisistan	KG-BIO-140	x		x		
Kolumbien	CO-BIO-140	x		x		
Mali	ML-BIO-140	x		x		
Marokko	MA-BIO-140	x		x		
Mexiko	MX-BIO-140	x	x	x		
Moldau	MD-BIO-140	x		x		
Papua- Neuguinea	PG-BIO-140	x		x		
Paraguay	PY-BIO-140	x		x		
Peru	PE-BIO-140	x		x		
Philippinen	PH-BIO-140	x		x		
Ruanda	RW-BIO-140	x		x		
Russland	RU-BIO-140	x		x		
Saudi-Arabien	SA-BIO-140	x		x		
Senegal	SN-BIO-140	x		x		
Serbien	RS-BIO-140	x	x	x		
Südafrika	ZA-BIO-140	x	x	x		
Taiwan	TW-BIO-140			x		
Tansania	TZ-BIO-140	x		x		
Thailand	TH-BIO-140	x	x	x		
Togo	TG-BIO-140	x		x		



		Unprocessed plant products	Live or unprocessed live-stock products	Processed foodstuffs	Processed feed	Seeds and plants, vegetative propagating material
Türkei	TR-BIO-140	x		x		
Uganda	UG-BIO-140	x		x		
Ukraine	UA-BIO-140	x		x		
Usbekistan	UZ-BIO-140	x		x		
Vietnam	VN-BIO-140	x		x		

2. Recognition shall be valid immediately and run until 30. June 2016 inclusive.
3. The certification body/inspection authority shall inform the FOAG immediately if substantial changes are made to the information contained in this request or in the technical dossier, or if changes are made to the information concerning the certification body/inspection authority, particularly a change in the authorised signatories.
4. The certification body/inspection authority shall undertake to send an annual report to the FOAG by 31 March every year. The annual report shall update the information of the technical dossier; in particular it shall contain the following:
 - the activities carried out by the certification body/inspection authority in the third countries during the previous year,
 - results obtained,
 - an update of the information relating to the number of certified operators
 - type and volume of products exported to Switzerland,
 - notification of the irregularities and infringements observed and measures taken to rectify them
 - all other relevant information at the request of the FOAG.
5. The latest assessment report, or the update of this report, containing the results of the regular on-the-spot evaluation, monitoring and multi-annual re-assessment of its activities shall also be sent to the FOAG by 31 March every year.
6. The certification body/inspection authority shall make available to interested parties in electronic form a continually updated list of operators and products certified as organic.

7. The whole product chain (producers, processors and exporters) of all product categories has to be certified by recognized certification bodies or inspection authorities according to Article 23a of Swiss Organic Farming Ordinance (SR 910.18) or produced and certified within the scope of a recognized country according to Article 23 of Swiss Organic Farming Ordinance (SR 910.18) or produced and certified in Switzerland in accordance with the Swiss ordinances on organic farming (SR 910.18 and SR 910.181).
8. The certification body/inspection authority issuing the certificate of inspection shall only issue the certificate of inspection and endorse the declaration in box 14 of the certificate if it has verified that the products covered by the certificate and in the case of processed agricultural products for use as food and feed, all organic ingredients of such products have been certified by a certification body/inspection authority of a country recognized in accordance with Article 23 of the Organic Farming Ordinance (list of countries) or by a certification body/inspection authority recognized in accordance with Article 23a of the Organic Farming Ordinance (list of recognized certification bodies/inspection authorities) or produced and certified in Switzerland according to that Ordinance or in the European Union according to Regulation (EC) No. 834/2007. At the request of the Swiss authorities it shall make available without delay the list of all operators in the organic production chain and the competent authorities or certification bodies under whose control those operators have placed their operations.
9. The certification body/inspection authority shall inform the FOAG immediately it notes any serious irregularities or on reasonable suspicion of non-compliance with the provisions of the Organic Farming Ordinance.
10. Proof of GMO-free status shall be provided for soya.
11. This recognition shall not apply to the following products:
 - Products produced under conversion to organic agriculture,
 - Wine,
 - Products treated with piperonylbutoxide (PBO) or PBO-containing inputs;
12. The FOAG may change the conditions for authorisation of the certification body/inspection authority at any time, or withdraw recognition of the equivalence of the body or authority, or change the specifications such as e.g. product categories or countries covered, especially in the following circumstances:
 - a. If a certification body/inspection authority fails to fulfil the conditions laid down in points 3 to 8;
 - b. If information obtained from the conditions laid down in points 3 to 10 gives cause for it;
 - c. If a certification body/inspection authority fails to provide requested information;
 - d. If a certification body/inspection authority fails to agree to a spot check requested by the FOAG within a period laid down by the FOAG commensurate with the importance of the problem;
 - e. If a certification body/inspection authority fails to take corrective measures in good time in case of failure to meet the above conditions, when it notes irregularities, on reasonable suspicion of non-compliance with the provisions of the Organic Farming Ordinance, or in other cases when action is required.

Referenz/Aktenzeichen: sas /

13. Extension of the geographical scope or product categories can only be obtained by means of a further request to the FOAG.
14. The recognition is non-transferable.
15. Appeal hearing: an appeal may be made against this ruling within 30 days of publication at the Federal Administrative Court, PO Box, CH-9023 **St. Gallen, Switzerland**. The notice of appeal must contain the details of the appeal, the grounds with evidence and the signature of the appellant or their representative; it must be produced in duplicate and enclosing the contested ruling, and the supporting documentation used in evidence, in so far as it is in the appellant's possession, must be enclosed.

Disclosure:

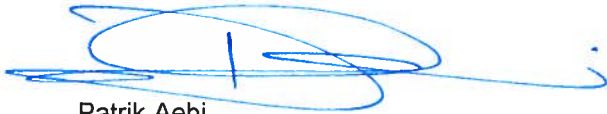
Ceres GmbH, Vorderhaslach 1, 91230 Happurg, Germany, via Swiss Embassy.

Notification:

Recognition is published on the FOAG homepage.

Regards

Federal Office for Agriculture FOAG



Patrik Aebi

Head of Quality and Sales Promotion Unit