

Procedure file

Basic information		
DEA - Delegated acts procedure	2022/2637(DEA)	Procedure completed - delegated act enters into force
Transitional provisions for certificates of inspection issued in Ukraine Supplementing 2014/0100(COD) Subject 3.10.09.04 Organic farming 3.70.17 European ecolabel and ecolabelling, ecodesign Geographical area Ukraine Legislative priorities EU support to Ukraine		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Agriculture and Rural Development	 LINS Norbert	08/04/2022

Key events			
08/04/2022	Non-legislative basic document published	C(2022)02164	Summary
08/04/2022	Initial period for examining delegated act 2 month(s)		
04/05/2022	Committee referral announced in Parliament		
04/05/2022	Decision by Parliament	T9-0197/2022	
16/05/2022	Delegated act not objected by Council		

Technical information	
Procedure reference	2022/2637(DEA)
Procedure type	DEA - Delegated acts procedure
Procedure subtype	Examination of delegated act
Legal basis	Rules of Procedure EP 0111-p6
Stage reached in procedure	Procedure completed - delegated act enters into force
Committee dossier	AGRI/9/08822

Documentation gateway					
Non-legislative basic document		C(2022)02164	08/04/2022	EC	Summary
Recommendation for early non-objection of delegated act		B9-0218/2022	22/04/2022	EP	
Text adopted by Parliament, single reading		T9-0197/2022	04/05/2022	EP	

Transitional provisions for certificates of inspection issued in Ukraine

This Commission Delegated Regulation amends [Delegated Regulation \(EU\) 2021/2306](#) in order to provide for exceptional measures to derogate from certain provisions concerning certificates of inspection issued in Ukraine.

Background

Commission Delegated Regulation (EU) 2021/2306 lays down rules on the official controls in respect of organic products and in-conversion products intended for import into the Union and on the certificate of inspection.

In accordance with the said Regulation, the certificate of inspection (COI) is to be issued in TRACES and is to bear a qualified electronic seal. However, a transitional provision provides that, by way of derogation from Article 5(3), first subparagraph, of that Regulation, until 30 June 2022, the certificate of inspection may be issued on paper after being completed in TRACES and printed.

Russia's invasion of Ukraine on 24 February 2022 constitutes an exceptional and unprecedented challenge for the control authorities and control bodies that have been recognised for the purpose of the export of organic products from Ukraine to the Union.

Thus, an authorised person located in Ukraine of a control authority or a control body that is not yet equipped with a qualified electronic seal cannot issue electronic certificates of inspection in accordance with Delegated Regulation (EU) 2021/2306. On the other hand, that authorised person cannot make use of the possibility to issue the certificate of inspection on paper, in accordance with the transitional provision of that Regulation either, given that the postal services in Ukraine are currently disrupted.

Delegated Regulation (EU) 2021/2306 should therefore be amended.

Content

In order to ensure that organic products leaving Ukraine can continue to be exported to the Union, this delegated act:

- authorises, until 30 June 2022, Ukrainian inspection authorities and bodies to produce and submit the certificate of inspection in TRACES in electronic format without an electronic seal in box 18 of that certificate;
- allows the competent authorities in the Member States at border control posts or points of release for free circulation to carry out import controls on such certificates of inspection and to endorse them in TRACES with a qualified electronic seal or on paper with the hand signature of the authorised person after being completed in TRACES and printed.

This provision will apply retroactively from 24 February 2022 as Ukrainian postal services have been disrupted since that date.