

DECISION NO 1/2021 OF THE JOINT SWITZERLAND-UNITED KINGDOM
COMMITTEE ON AGRICULTURE

Of 1 January 2021

THE JOINT SWITZERLAND-UNITED KINGDOM COMMITTEE ON
AGRICULTURE

RECONFIRMING the desire of Switzerland and the United Kingdom that the rights and obligations between them as previously provided for by the Switzerland-EU Trade Agreements should continue to apply with the least possible interruption or disturbance in a mutually advantageous manner between Switzerland and the United Kingdom;

RECALLING that the Switzerland-EU Agriculture Agreement is incorporated into and made part of the Trade Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland (“the Trade Agreement”) while Annexes 4 to 6, 9 and 11 of the incorporated Switzerland-EU Agriculture Agreement (“the Incorporated Agriculture Agreement”) shall not apply, unless otherwise decided by the relevant Joint Committee;

CONSIDERING that Article 6 of the Trade Agreement provides for the establishment of a Joint Switzerland-United Kingdom Committee on Agriculture (“the Joint Committee”), pursuant to Article 6 of the Incorporated Agriculture Agreement, upon coming into effect of the Agreement;

RECALLING the Parties’ intention to assess, upon coming into effect of the Trade Agreement, the level of divergence or alignment between the Parties’ domestic legislation in the areas covered by Annexes 4 to 6, 9 and 11 of the Incorporated Agriculture Agreement, in light of developments in the arrangements between each of the Parties and third parties, with the aim of ensuring continuity as far as possible of the trade arrangements between the Parties;

HAVING REGARD to Paragraph 2 of Article 1 of the Trade Agreement, providing that Annex 9 of the Incorporated Agriculture Agreement shall not apply unless otherwise decided pursuant to Paragraph 3 of that Article;

HAVING REGARD to Paragraph 3 of Article 1 of the Trade Agreement, empowering the Joint Committee to decide to apply Annex 9, mutatis mutandis, with or without further modifications or to replace it;

HAS DECIDED:

1. Annex 9 of the Incorporated Agriculture Agreement shall be replaced by the text in the Annex to this Decision, and the replacement text shall apply when this Decision enters into force.

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2. The following modifications to the Incorporated Agriculture Agreement shall be inserted in Annex 4 to the Trade Agreement:

a) The following paragraph shall be inserted after paragraph 6:

“7. Annex 9 shall be replaced by the text in Appendix C.”

b) The text of the Annex to this Decision shall be inserted after Appendix B as new Appendix C.

3. This Decision shall enter into force on 1 January 2021.

Signed in duplicate in Berne on 1 January 2021 in the English language.

For the Joint Switzerland-United Kingdom Committee on Agriculture

The Chair and Head of the
Swiss Delegation

The Head of the United
Kingdom Delegation

The Committee Secretary


.....
Adrian AEBI


.....
Kris CAMPONI


.....
Corinne ROUX

ANNEX 9

ON ORGANICALLY PRODUCED AGRICULTURAL PRODUCTS AND FOODSTUFFS

Article 1

Scope

This Annex shall apply to:

- a. Organically produced products from the United Kingdom listed in Appendix I.
- b. Organically produced products from Switzerland listed in Appendix II.

Article 2

Import and marketing of organic products from the United Kingdom

1. Switzerland shall accept the import into its territory, and the placing on the market as organic products, of organically produced products from the United Kingdom listed in Appendix I, provided that one of the control bodies in Appendix III has certified that those products have been produced in accordance with the provisions of the organics legislation in Part 2 of Appendix IV.
2. A product which is imported into Switzerland from the United Kingdom under this Article shall be accompanied by a certificate of inspection drawn up in accordance with the provisions laid down in Article 16c and Annex 9 Section A of the EAER Ordinance on Organic Farming (910.181). The certificate of inspection shall be drawn up in German, French, Italian or English.

Article 3

Import and marketing of organic products from Switzerland

1. The United Kingdom shall accept the import into its territory, and the placing on the market as organic products, of organically produced products from Switzerland listed in Appendix II, provided that those products comply with the organics legislation listed in Part 1 of Appendix IV.
2. This Article shall not prevent the United Kingdom from requiring that a certificate of inspection accompany a product which is imported into the United Kingdom from Switzerland under this Article. The notification provisions set out in Article 8(2) of this Agreement shall apply to laws, regulations and administrative provisions of the United Kingdom setting out such requirements.

Article 4

Exchange of Information

1. Each Party shall notify the other Party in writing and in a timely manner of any instances of the following:

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- a. changes to the control bodies that are recognised by the Party and the code numbers of those bodies;
 - b. instances of significant non-compliance with the Party's organic certification legislation.
2. For the purposes of paragraph 1b, "significant" means any non-conformity that materially affects the integrity of the organic product that is likely to be exported to the other Party.
3. By 31 March of each year, each Party shall send the other Party an annual report regarding the implementation and enforcement of the Party's organic control measures during the previous year.

Article 5

Working Group on Organic Products

1. The Working Group on Organic Products ('the Working Group'), set up pursuant to Article 6(7) of this Agreement shall consider all matters which may arise in connection with this Annex and its implementation.
2. The Working Group shall periodically consider the state of the respective laws and regulations of the Parties in the fields covered by this Annex.

Article 6

Duration and review

1. This Annex shall apply for a transitional period, which shall end 24 months after the date of the entry into force or provisional application of the Trade Agreement between the Swiss Confederation and the United Kingdom of Great Britain and Northern Ireland which was done at Bern on 11 February 2019.
2. No later than six months before the end of the transitional period, the Working Group shall consider whether this Annex should continue to apply or be replaced by a more comprehensive Annex. Upon recommendation of the Working Group, the Joint Committee may decide on continuous application of this Annex, with or without modifications, for an extended transitional period, or on replacement of this Annex.
3. A Party may, at any time, notify its decision to terminate or suspend application of this Annex. Such termination or suspension shall take effect 30 days after receipt by the other Party of the notification.

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Appendix I

Organically produced products from the United Kingdom referred to in Article 1(a)

Product Category	Code	Limitations
Unprocessed plant products	A	
Live animals or unprocessed animal products	B	With the exception of rabbits and unprocessed rabbit products
Processed agricultural products for use as food	D	With the exception of products whose organically produced ingredients contain products from rabbits
Processed agricultural products for use as feed	E	
Vegetative propagating material and seeds for cultivation	F	

Appendix II

Organically produced products from Switzerland referred to in Article 1(b)

Category of products	Code	Limitations
Unprocessed plant products	A	With the exception of products produced during the conversion period
Live animals and unprocessed animal products	B	
Processed agricultural products for use as food	D	With the exception of products containing an ingredient of agricultural origin produced during the conversion period
Processed agricultural products for use as feed	E	With the exception of products containing an ingredient of agricultural origin produced during the conversion period
Vegetative propagating material and seeds for cultivation	F	

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Appendix III

Control Bodies of the United Kingdom

- 1 **Organic Farmers & Growers CIC (GB-ORG-02)**
The Old Estate Yard
Shrewsbury Road
Albrighton
Shrewsbury
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Telephone: 01939 291800
Fax: 01939 291250
Email: info@ofgorganic.org
Website: www.ofgorganic.org

- 2 **Organic Food Federation (GB-ORG-04)**
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Norfolk
PE37 7XD
Telephone: 01760 720444
Fax: 01760 720790
Email: info@orgfoodfed.com
Website: www.orgfoodfed.com

- 3 **Soil Association Certification Ltd (GB-ORG-05)**
Spear House
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Bristol
BS1 6AD
Website: www.soilassociation.org/certification/

Farmers and growers
Telephone: 0117 914 2412
Fax: 0117 314 5046
Email: prod.cert@soilassociation.org

Processors
Telephone: 0117 914 2411
Fax: 0117 314 5046
Email: proc.cert@soilassociation.org

- 4 **Biodynamic Association Certification (GB-ORG-06)**
Painswick Inn Project
Gloucester Street
Stroud
GL5 1QG
Telephone and fax: 01453 766296

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Email: certification@biodynamic.org.uk
Website: www.bdcertification.org.uk

5 Quality Welsh Food Certification Ltd (GB-ORG-13)

Gorseland
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Aberystwyth
Ceredigion
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Fax: 01970 624049
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Website: www.wlbp.co.uk

6 OF&G (Scotland) Ltd (GB-ORG-17)

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Shropshire
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Fax: 01939 291250
Email: certification@sopa.org.uk
Website: www.ofgorganic.org

7 Irish Organic Association (GB-ORG-07)

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Co. Westmeath
Republic of Ireland
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Fax: (+353) 090 644 9005
Email: info@irishoa.ie
Website: www.irishorganicassociation.ie

8 Organic Trust Limited (GB-ORG-09)

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Clontarf
Dublin 3
Republic of Ireland
Telephone: 00 353 185 30271
Fax: 00 353 185 30271
Email: organics@iol.ie
Website: www.organic-trust.org

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Appendix IV

Relevant Organic Legislation

Part 1

Ordinance on Organic Farming and the Labelling of Organically Produced Products and Foodstuffs of 22 September 1997, as in effect immediately before the Switzerland-EU Trade Agreements cease to apply to the United Kingdom.

The Federal Department of Economic Affairs, Education and Research Ordinance on Organic Farming of 22 September 1997, as in effect immediately before the Switzerland-EU Trade Agreements cease to apply to the United Kingdom.

Part 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, as in effect immediately before the Switzerland-EU Trade Agreements cease to apply to the United Kingdom.

Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control, as in effect immediately before the Switzerland-EU Trade Agreements cease to apply to the United Kingdom.

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, as in effect immediately before the Switzerland-EU Trade Agreements cease to apply to the United Kingdom.

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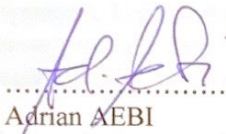
Signed in duplicate in Berne on 1 January 2021 in the English language.

For the Joint Switzerland-United Kingdom Committee on Agriculture

The Chair and Head of the
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The Head of the United
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Website: www.bdcertification.org.uk

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