

CH-3003 Bern, GS-EAER, JSA

Krysta Harden
Deputy Secretary of Agriculture
United States Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250-0268

Washington D.C, July 09, 2015

Dear Deputy Secretary Harden,
Dear Ambassador Vetter,

The Federal Office for Agriculture (FOAG) has reviewed the U.S. Department of Agriculture's (USDA) National Organic Program (NOP) regulations (Title 7, Part 205 of the U.S. Code of Federal Regulations) (hereinafter "USDA NOP regulations"). Based on that review, FOAG has determined that agricultural products produced and handled in accordance with the USDA NOP regulations as in effect on July 9, 2015, are produced and handled under an organic certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of the Swiss Ordinance on Organic Farming and the Labelling of Organically Produced Products and Foodstuffs (910.18) and the Swiss Ordinance on Organic Farming of the Federal Department of Economic Affairs, Education and Research (EAER) (910.181) (hereinafter "Swiss organic ordinances").

Accordingly, subject to the conditions set forth in Appendix 1 of this letter, from July 10, 2015, agricultural products produced and handled in conformity with the USDA NOP regulations as in effect on July 9, 2015, are deemed by FOAG to have been produced and handled in accordance with the Swiss organic ordinances. These products may be sold, labelled, or represented in Switzerland as organically produced under the conditions set forth in Appendix 1.

Switzerland is also pleased to acknowledge recognition by the United States of the Swiss organic ordinances in its letter of July 9, 2015. FOAG and the State Secretariat for Economic Affairs (SECO) are committed to working with USDA's Agricultural Marketing Service and Foreign Agricultural Service and the United States Trade Representative (USTR) as described in this cover letter and its associated appendices and in USDA's letter of today's date and its associated appendices.

Sincerely,

Federal Department of Economic Affairs, Education and Research EAER



Johann N. Schneider-Ammann
Federal Councillor

Appendix 1

- A. A U.S. product may be sold, labeled, and represented as organic in Switzerland if it is:
1. Certified organic to USDA NOP regulations;
 2. Either grown in the United States, produced in the United States, or a product for which final processing or packaging has occurred in the United States; and,
 3. For any wine product, produced and labeled according to the Swiss organic ordinances.
- B. A U.S. product covered under Paragraph A above and imported into Switzerland:
1. Must be labeled according to the Swiss organic labeling requirements as described in the Swiss organic ordinances;
 2. May display the USDA organic seal; and,
 3. Must be accompanied by a certificate of inspection for the import of products from organic production (Organic Farming Ordinance 910.181, Annex 9) from an NOP-accredited certification body that attests to compliance with the terms of this Appendix.
- C. The USDA will notify the FOAG in a timely manner of any instances of the following:
1. Changes with respect to the accreditation status of any NOP-accredited certification bodies;
 2. Proposed and final regulations and guidelines in the United States that may affect this Appendix; and,
 3. Notifications of non-compliances that may affect the organic status of U.S. products covered under Paragraph A above.
- D. Following advance notice from the FOAG, the USDA will permit FOAG officials to conduct on-site evaluations in the United States to verify that the relevant regulatory authorities and certification bodies of the NOP are carrying out the NOP requirements. The USDA will cooperate and assist the FOAG, to the extent permitted, in carrying out these on-site evaluations, which may include visits to offices of relevant regulatory authorities, certification body offices, production facilities, and farms that NOP-accredited certification bodies have certified in the United States. The FOAG will submit to the USDA a written report of any such on-site evaluation including any findings that may affect this Appendix. The USDA will provide a written response to findings identified by the FOAG, including completed or planned corrective actions, in a timely fashion.
- E. The USDA will provide to the FOAG the following documents each calendar year by 31 March:
1. A report that contains information regarding the types and quantities of U.S. products exported to Switzerland under this Appendix over the prior calendar year;
 2. A list of certification bodies accredited to the NOP; and,
 3. A list of organic operations certified under the NOP.

Appendix 2

1. The United States and Switzerland are committed to working together in an Organic Working Group consisting of representatives of the USDA and the USTR on behalf of the United States and representatives of the FOAG and the SECO on behalf of Switzerland.
2. The purpose of the Organic Working Group is to promote bilateral trade and to enhance regulatory and standards cooperation between the FOAG and the USDA on issues related to organic agricultural products.
3. The Organic Working Group expects to meet annually to:
 - Review any proposed legislation and rulemaking with a view to maintain equivalency;
 - Foster technical cooperation between the competent authorities and share best practices related to implementing robust oversight controls;
 - Discuss best practices and other issues related to organic agricultural products; and,
 - Consider the scope and further development of Appendix 1.
4. By 31 December 2020, the Organic Working Group should review the operation of Appendix 1 with a view to proposing any changes.