



European Union Overseas Market Access Requirements

Amendment 4

26 July 2023

TITLE

Organic Export Requirement: European Union Overseas Market Access Requirements

COMMENCEMENT

This Organic Export Requirement is effective from 26 July 2023.

REPLACEMENT

This Organic Export Requirement replaces the Organic Export Requirement: European Union Overseas Market Access Requirements, dated 16 December 2020.

ISSUING BODY

This Organic Export Requirement is issued by the Ministry for Primary Industries in relation to the Official Organic Assurance Programme.

Dated at Wellington, 26 July 2023

Allan Kinsella
Director Assurance
Ministry for Primary Industries

Contact for further information:
Ministry for Primary Industries (MPI)
New Zealand Food Safety
Assurance Directorate
PO Box 2526
Wellington 6140

Email: organics@mpi.govt.nz

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Contents	Page
Introduction	3
Part 1: Requirements	7
1.1 Application	7
1.2 Definitions	8
1.3 Operator Administrative Requirements	8
1.4 Product Requirements	12
1.5 Recognised Agency Requirements	14

Introduction

This introduction is not part of the Organic Export Requirement, but is intended to indicate its general effect.

Purpose

This Organic Export Requirement (OER) outlines the specific overseas market access requirements that must be met to export, or supply for export, organic products produced in compliance with the Official Organic Assurance Programme (OOAP) to the European Union (EU).

Background

The EU recognises New Zealand's OOAP as equivalent to their organic regulations. The EU lists New Zealand as a third country in Commission Implementing Regulation (EU) 2021/2325, Annex I.

This OER is an essential part of the Ministry for Primary Industries (MPI) system for official assurances for organic products.

Official organic assurances only attest to compliance with the importing markets organic regulatory requirements. Exporters are responsible for ensuring their consignments comply with all other relevant regulatory requirements of the importing market. Exporters are recommended to refer to the [MPI website on Exporting](#) for further information.

MPI issued OERs override any advice your importer may have, but where MPI has no advice on a specific topic, your importer can also be an important source of information on the regulatory requirements of their markets.

Who should read this Organic Export Requirement?

This OER should be read by:

- (1) operators producing, processing, or handling products under the OOAP for export to the EU; and
- (2) exporters exporting organic products under the OOAP to the EU; and
- (3) agencies and persons recognised by MPI to provide services on behalf of MPI for the OOAP.

Why is this important?

This Organic Export Requirement: Overseas Market Access Requirements (OER: OMAR) sets out the requirements that must be met for MPI to certify that the organic product meets the requirements New Zealand has negotiated with the European Commission. Although product may comply with this OER and be given an official assurance (where relevant, by way of an export certificate); the importing market ultimately retains control over what product is cleared for entry or allowed to be sold on the market as 'organic'.

Document History

No.	Version Date	Section Changed	Change(s) Description
1	3 June 2010		
2	6 August 2014	1.1 Application	<ul style="list-style-type: none"> • Clarification of application • Clarification of product categories • Changing names to from NZFSA to MPI • Inclusion of TPA code numbers

No.	Version Date	Section Changed	Change(s) Description
			<ul style="list-style-type: none"> • Inclusion of information on using the EU Organic Logo • Inclusion of requirements for organic wine • Inclusion of links to other exporting information.
3	16 December 2020	All sections	<ul style="list-style-type: none"> • Updated to MPI template • Updated to capture new Organic Export Requirements (OERs) • Added list of markets covered by this OER • Added requirements for using the EU's TRACES-NT electronic certification systems • Added guidance on residues
4	26 July 2023	Introduction	<ul style="list-style-type: none"> • Removed transitional arrangements for product produced prior to or during implementation of OER: RAP and OER: OPR. • Clarified guidance on compliance with regulatory requirements
		1.3.1, 1.3.2	<ul style="list-style-type: none"> • Previously 1.4.1, 1.4.2 • Removed transitional arrangements, and rework text to improve clarity
		1.3.3(5)	<ul style="list-style-type: none"> • Previously 1.4.3(5) • Updated the labelling requirements for organic wine produced from 2013 vintage or later
		1.3.4	<ul style="list-style-type: none"> • Previously 1.4.4 • Clarified requirements and guidance for official organic assurances (organic export certificates)
		1.3.5	<ul style="list-style-type: none"> • Previously 1.4.5 • Deleted.
		1.4.2	<ul style="list-style-type: none"> • Previously 1.5.2 • Clarified the use of processed products in the preparation of other processed products • Clarified the requirements for imported ingredients.
		1.5	<ul style="list-style-type: none"> • Previously 1.3 • Added specific requirements for different recognised person roles • Relocated the requirement to validate the authenticity of evidence that imported ingredients comply with this OER from operator requirements to recognised agency requirements • Clarified requirements for managing operators in TRACES-NT

Other information

Compliance with other regulations

All products within the scope of the OOAP must first meet relevant New Zealand legislation, including but not limited to the following Acts, Codes, including secondary legislation such as regulations, notices, and standards:

- Agricultural Compounds and Veterinary Medicines Act 1997;
- Animal Products Act 1999;
 - including Overseas Market Access Requirements (OMARs) issued under the Animal Products Act;
- Animal Welfare Act 1999;
 - including Codes of Welfare issued under the Animal Welfare Act 1999;
- Australia New Zealand Food Standard Code;
- Biosecurity Act 1993;
- Fisheries Act 1996;
- Food Act 2014;
- National Animal Identification and Tracing Act 2012;
- Wine Act 2003;
 - including any Overseas Market Access Requirements (OMARs) issued under the Wine Act 2003; and
- Other legislative requirements not administered by MPI, as relevant, including but not limited to the Hazardous Substances and New Organisms Act 1996 and Resource Management Act 1991.

In addition, plant products within the framework of the OOAP will need to meet the relevant phytosanitary certification requirements as stipulated in the Importing Countries Phytosanitary Requirement (ICPR).

- Refer to the [OMAR search function](#) on the MPI website to find all relevant Notices for animal products, including dairy products; and
- Refer to the [ICPR search function](#) on the MPI website to find all relevant Standards for plant products.

It is beyond the scope of this OER to provide organic operators (including organic exporters) with advice on all the relevant legislative and regulatory requirements for their product type.

MPI contacts for further information include:

- Exporter Regulatory Advice Service (exporterhelp@mpi.govt.nz)
- Market Access (market.access@mpi.govt.nz)

Exporters should consult with their importer or agent in EU on EU's import related requirements.

Guidance versus Requirements

The information contained within a border under the heading 'Guidance' throughout this OER (example below) is for guidance only and is not part of the requirements.

Guidance

- This is an example of a guidance box.

Guidance may include:

- interpretative material or further explanation;
- help for where the reader can find more information (e.g., hyperlinks); or
- examples or indications of preferred ways of doing things.

Operators do not have to show that they have followed guidance and agencies do not need to check that guidance has been followed by operator.

Requirements of this OER are presented as numbered clauses. Requirements are mandatory. They present:

- requirements that must be met;
- prohibitions that must be met; or
- allowances/approvals that may be approved, provided set conditions are met.

Useful reference information

The current versions of the following documents should be read along with this OER (as published on the [MPI website](#)):

- Organic Export Requirement: Recognised Agencies and Persons ([OER: RAP](#)); and
- Organic Export Requirement: Organic Production Rules ([OER: OPR](#)).

Part 1: Requirements

1.1 Application

- (1) This Organic Export Requirement (OER) applies to:
- a) operators participating in the Official Organic Assurance Programme (OOAP) that produce, process, handle, supply for export, or export eligible products to the following markets with an official organic assurance (organic export certificate):
 - i) European Union (EU), being Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland (Eire), Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia and Slovenia, Spain, and Sweden;
 - ii) French Departments, being Guadeloupe, French Guiana, Martinique, Mayotte, Réunion, and St. Pierre et Miquelon;
 - iii) Faroe Islands (Denmark), Canary Islands (Spain), Madeira (Portugal); and
 - iv) Northern Ireland (United Kingdom); and
 - b) agencies and persons recognised by MPI to provide services on behalf of MPI for the OOAP; and
 - c) references in this OER to the EU are deemed to include all the countries and territories in subclause (1)a) unless otherwise stated.

Guidance

- Following the United Kingdom's exit from the EU in 2021, Northern Ireland remains within the EU's single market for goods under the Northern Ireland Protocol.

- (2) The following categories of products may be exported to all the markets in subclause (1)a) under this OER:
- a) unprocessed horticultural products for human consumption;
 - b) wild harvest of plant products for human consumption;
 - c) animal products for human consumption from bovine, porcine, ovine, caprine, cervine, equine, avian, ratite species, and *Apis mellifera*;
 - d) mushrooms;
 - e) processed products for human consumption from ingredients in subclause (2)a) to d);
 - f) wine;
 - g) live animals from the same species as listed in subclause (2)c);
 - h) vegetative propagating material and seeds for cultivation; and
 - i) unprocessed wool.
- (3) Organic products in the following categories are not eligible for export to the markets in subclause (1)a) under this OER:
- a) unprocessed or processed bivalve molluscan shellfish products;
 - b) processed animal products which carry or are intended to carry labels referring to conversion;
 - c) live animals which carry or are intended to carry labels referring to conversion;
 - d) unprocessed or processed algae products;
 - e) yeast; and
 - f) processed agricultural products for use as feed.

1.2 Definitions

(1) In this OER:

Certificate of Inspection (COI) means an export certificate raised in the TRACES-NT system by the exporter. The COI becomes the official organic assurance once it has been issued by MPI.

Trade Control and Export System (TRACES-NT) means the electronic system established by European Commission Decision 2003/24/EC for issuing certificates of inspection.

(2) All terms used, but not defined, in this OER have the same meaning as definitions in the current versions (as published on the MPI website) of the following documents:

- a) Organic Export Requirement: Organic Production Rules (OER: OPR); and
- b) Organic Export Requirement: Recognised Agencies and Persons (OER: RAP).

Guidance

- Organic Export Requirements are provided on the MPI website at [Requirement documents for exporting organics | NZ Government \(mpi.govt.nz\)](#)

1.3 Operator Administrative Requirements

1.3.1 All operators

(1) Operators (including organic exporters) who produce, handle, supply for export, or export products to the EU under this OER must:

- a) be verified as meeting the requirements of this OER by a recognised agency that meets the requirements in clause 1.5;
- b) meet the requirements of Organic Export Requirement: Organic Production Rules (OER: OPR) Part 2 Administrative Requirements; and
- c) ensure that products comply with clause 1.4 of this OER.

(2) Operators processing products that contain imported ingredients must have evidence and records to demonstrate compliance with clauses 1.4.2(4)c) and d).

1.3.2 Operators who export products

(1) In addition to the requirements in clause 1.3.1(1), operators who export products under this OER must be registered with MPI as an organic exporter, as required by OER: OPR clause 2.1(4)b).

Guidance

- The application form “OP1 Organic exporter registration” for registering as an organic exporter can be found on the MPI website at [forms and templates for exporting organics](#).
- It is the organic exporters responsibility to:
 - ensure organic exporter registration with MPI remains current; and
 - keep registration contact information up to date to ensure you receive correspondence from MPI.
- To update any registration information contact the MPI Approval team on approvals@mpi.govt.nz.

(2) Organic exporters who comply with OER: OPR clause 2.1(4) must:

- a) register their businesses in TRACES-NT as an ‘organic exporter’ using the same name and address as listed in the MPI register of organic exporters; and
- b) ensure the final organic producer or organic processor of products to be exported is registered in TRACES- NT as an ‘organic producer’ or ‘organic processor’, as appropriate.

- (3) The address of the final organic producer or organic processor in subclause (2)b) must be the physical address of the operator's premises.

Guidance

- Organic exporters need to have completed registration with MPI before requesting registration in TRACES-NT.
- The instructions for registering in TRACES-NT can be found on the MPI website at [Exporting organic products to the European Union \(EU\), Northern Ireland, Norway or Switzerland](#).
- The address of the exporter in subclause (2)a) may be either the physical address or the postal address, however a PO Box address is discouraged.
- The list of MPI registered organic exporters can be found on the MPI website at [Organic Exporters \(foodsafety.govt.nz\)](#)
- Operators that supply products for export, but are not organic exporters, need to be validated as 'organic producers' in TRACES-NT by the recognised agency that has certified them. These operators do not need to have access to TRACES-NT.
 - Organic exporters can request registration of their suppliers in TRACES-NT. The recognised agency that has certified these organic producers (suppliers) will need to validate these requests; or
 - Recognised agencies that certify operators for supplying products for export to the EU can register and simultaneously validate registration in TRACES-NT.
- Organic exporters that allow their MPI organic exporter registration to lapse will be suspended from accessing TRACES-NT until they have renewed their registration.
- Allow enough time before the first time you plan to start exporting to register for TRACES-NT and familiarise yourself with the system. Contact MPI Plant, Wine and Organic Assurance on organics@mpi.govt.nz if you need assistance registering for TRACES-NT.
- Organic exporters are encouraged to:
 - keep the list referred to in OER: RAP clause 2.1(4)c) of designated persons that are authorised to apply for official organic assurances current;
 - use the form "CERT7 Organic exporter form for designating persons that can apply for official organic assurances" for adding (and removing) designated persons, which can be found on the MPI website at [forms and templates for exporting organics](#); and
 - save a copy of the updated form in your records. Organic exporters should be prepared to show a copy of the most recent CERT7 form to the recognised agency.

1.3.3 Product identification and labelling

- (1) All products exported under this OER must be labelled with the information required by OER: OPR clause 2.8(3).

Guidance

- OER: OPR clause 2.8(3) requires, in all cases, organic label claims must clearly identify:
 - the recognised agency of the operator who has carried out the most recent preparation step of the product; and
 - the name or identification number of that operator.
- Products may be labelled with the logo or mark of the recognised agency subject to any conditions or restrictions laid down by the recognised agency.

- (2) The code number of the recognised agency that certified the operator must appear on the label of all organic products exported under the OOAP. Recognised agency code numbers are in Table 1.

Table 1: Recognised Agencies and Code Numbers

Recognised Agency Name	Code Number
AsureQuality Limited	NZ-BIO-002
BioGro New Zealand Limited	NZ-BIO-003

- (3) Where the organic production logo of the European Union is used, the following indications must appear in the same visual field as the logo:
- a) the code number of the recognised agency that certified the operator, listed in Table 1; and
 - b) the origin of the agricultural raw materials, using one of the following phrases, as relevant:
 - i) 'non-EU agriculture' or 'New Zealand agriculture'; or
 - ii) 'EU/non-EU Agriculture' or 'EU/New Zealand agriculture'.

Guidance

- The organic production logo of the European Union is not compulsory for inclusion on labels for products exported to the EU.
- The organic production logo of the European Union and further information on its use can be found on the European Commission website at https://agriculture.ec.europa.eu/farming/organic-farming/organic-logo_en

- (4) Stocks of grape wine from the 2012 vintage or older, made from grapes which were produced or processed in accordance with [OOAP Standard OP3 Appendix Two: Technical Rules of Production](#) may continue to be exported labelled as 'wine made from organic grapes' until these stocks are exhausted. Labels on these wines must not carry the EU Organic Logo.
- (5) Grape wine from the 2013 vintage or younger labelled as 'wine made from organic grapes' is not eligible for export under this OER.
- (6) Grape wine from the 2013 vintage or younger labelled as 'organic wine' may be issued with an official organic assurance and exported under this OER provided that:
- a) the wine was made in compliance with the technical rules for organic winemaking that were in force at the time of the relevant vintage, as summarised in Table 2; and
 - b) the recognised agency of the operator responsible for winemaking has verified that all production and post-production activities have been in full, and continuous compliance with the relevant OOAP rules, as summarised in Table 2, for the life of the product.

Table 2: Grape wine vintages and applicable technical rules for organic winemaking

Vintage	Applicable technical rules for organic winemaking
2013, 2014	<ul style="list-style-type: none"> • OOAP Standard OP3 Registration and Performance Measurement Criteria for Operators (2005) Appendix Two: Technical Rules of Production, Chapter 8A; or • Commission Implementing Regulation (EU) No 203/2012.
2015 - 2020	<ul style="list-style-type: none"> • OOAP Standard OP3 Registration and Performance Measurement Criteria for Operators (2005) Appendix Two: Technical Rules of Production, Chapter 8A;
2021	<ul style="list-style-type: none"> • OOAP Standard OP3 Registration and Performance Measurement Criteria for Operators (2005) Appendix Two: Technical Rules of Production, Chapter 8A; or • Organic Export Requirements: Operator Requirements (OER: OPR) Part 3: Technical Requirements, clause 3.10.1.
2022 or later	<ul style="list-style-type: none"> • Organic Export Requirements: Operator Requirements (OER: OPR) Part 3: Technical Requirements, clause 3.10.1.

1.3.4 Official organic assurances

- (1) Organic exporters must ensure that only products that comply with this OER are exported to the EU with an official organic assurance (organic export certificate).
- (2) Persons designated by registered organic exporters in accordance with OER: OPR clause 2.1(4)c) to apply for official organic assurances must:
 - a) raise and submit a COI using TRACES-NT;
 - b) complete an official organic assurance (organic export certificate) application form; and;
 - c) email copies of the COI submitted and the official organic assurance (organic export certificate) application form to the MPI Verification Services team on Organic.Certification@mpi.govt.nz.
- (3) Organic exporters must allow sufficient time for the application to be processed to enable the COI to be issued before the consignment leaves New Zealand.

Guidance

- Strict signing limits apply for COIs for exports to the European Union.
- Commission Delegated Regulation (EU) [2021/2306](#) Article 4 (Issuance of the certificate of inspection) paragraph 1 states “*The control authority or control body that has verified the consignment in accordance with Article 3 shall issue a certificate of inspection in accordance with Article 5 for every consignment before the consignment leaves the third country of export or of origin.*”
- MPI cannot issue the COI if the consignment has already left New Zealand.
- Guidance on accessing and using TRACES-NT can be found on the MPI website at [Exporting organic products to the European Union \(EU\), Northern Ireland, Norway or Switzerland](#).
- The official organic assurance (organic export certificate) application form can be found on the MPI website at [Forms and templates for exporting organics](#).
- The application form includes instructions for completing the application.
- It can be useful to copy the application to your recognised agency at the same time you submit the application to MPI. If you do this MPI recommends that you include a note in the email to make sure that it is clear to your recognised agency that this is for their information. Your recognised agency will not process the application until they receive a notification/request directly from MPI.
- When requesting a COI, in TRACES-NT, the Border Control Post (Port of Entry)', 'Gross weight', and the flag state of the vessel leaving New Zealand waters must be provided when the COI is submitted for certification. Your shipping agent will provide you with this information.
- It is preferable that the following information is provided when the COI is submitted in TRACES-NT. If this is not possible, the following information may be added to the COI within 10 calendar days from the date the original COI was issued:
 - container numbers (Box 14 in the COI);
 - seal numbers (Box 15 in the COI);
 - means of transport, and any other documents (Box 17);
 - commercial and transport documents (such as the bill of lading, invoices, and packaging list).
- The following information should be correct when the COI is submitted for certification. If this is not possible, within 10 calendar days from the date the original COI was issued, the following information may be amended in the COI:
 - Gross weight: (Box 16 in the COI);
 - Flag state of the vessel leaving New Zealand waters (part of Box 17 in the COI);
 - Border Control Post (Port of Entry) (Box 10 in the COI).
- If the Border Control Post (Port of Entry) must be amended after the 10 calendar day limit, the original COI must be cancelled and a replacement COI issued.
- Except for Border Control Post (Port of Entry), if the 10 calendar day limit has expired, MPI may amend the COI, provided the exporter confirms in writing that they will accept all commercial risk.
- The official organic assurance (organic export certificate) application form provides further instructions for requesting amendments.
- MPI recommends you send one application per email.

- Before you plan to start exporting for the first time, ensure there is enough time to register for TRACES-NT and familiarise yourself with the system:
 - Contact MPI Plant, Wine and Organic Assurance on organics@mpi.govt.nz if you need assistance registering for TRACES-NT;
 - Contact the MPI Verification Services team on Organic.Certification@mpi.govt.nz if you need assistance completing a COI template in TRACES-NT or the OOAP official organic assurance (organic export certificate) application form.
- The COI becomes an official organic assurance when it has been issued by MPI.

1.4 Product Requirements

1.4.1 Unprocessed products

- (1) Products in clause 1.1(2)a), b), d), g), h) and i) must have been grown or produced in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for each product type are:
 - unprocessed plant products: clauses 3.1 and 3.2;
 - unprocessed wild harvest products: clause 3.1 and 3.3;
 - live animals: clauses 3.1, 3.2, and 3.4;
 - apiary products: clauses 3.1 and 3.5;
 - mushrooms: clauses 3.1 and 3.8;
 - vegetative propagating material and seed for cultivation: 3.1 and 3.2.

1.4.2 Product processing and handling

- (1) Processed products in clause 1.1(2)c), e) and f) must be processed and handled in New Zealand in accordance with the relevant sections for their product type in OER: OPR by an operator that complies with the requirements in clause 1.3.

Guidance

- The relevant sections in OER: OPR for each product type are:
 - Processed products, excluding alcoholic beverages: clauses 3.1 and 3.9; and
 - Alcoholic beverages: clauses 3.1 and 3.10.

- (2) Processed products must contain a minimum of 95 % of ingredients that have been:
- a) produced according to the requirements in clause 1.4.1; or
 - b) processed according to the requirements in subclause (1); or
 - c) produced or processed in and imported from the EU in compliance with the relevant EU regulations for organic products and certified by a certification body recognised by a European Union Member State's competent authority for organics.

Guidance

- Information on the relevant regulations applicable in the EU can be found on the European Commission website at https://agriculture.ec.europa.eu/farming/organic-farming/legislation_en
- A list of control authorities and control bodies in the EU can be found on the European Commission website at [European Commission - Agriculture - OFIS - Inspection bodies \(europa.eu\)](https://agriculture.ec.europa.eu/farming/organic-farming/inspection_bodies_en)

- d) produced or processed in and imported from an EU third country whose rules of production and inspection have been recognised as equivalent to the EU rules, and the following criteria are met:

- i) the third country is listed in Annex I to the current version of Commission Implementing Regulation (EU) [2021/2325](#); and
- ii) the imported product complies with the criteria listed in Annex I to the current version of Commission Implementing Regulation (EU) [2021/2325](#) for the relevant EU third country, including product category, origin, production standard, and control bodies covered by the arrangement.

Guidance

- Information on the third countries recognised by the EU as having equivalent organic production rules and control systems can be found on the European Commission webpage at https://agriculture.ec.europa.eu/farming/organic-farming/trade_en
- When interpreting the criteria listed in Annex I to the current version of Commission Implementing Regulation (EU) [2021/2325](#) for each EU third country, MPI recommends checking the following:
 - Product category: any limitations or exclusions;
 - Origin: whether the arrangement allows the trading partner to use imported ingredients, and if so: any other conditions or restrictions that apply, for example, from where the trading partner may import ingredients; and
 - Production standards: documentary evidence will need to demonstrate that the products were verified against the standard(s) specified;
 - Control bodies: the certification body that verified the product as complying with the relevant production standard must be included in Annex I.

- e) produced or processed in and imported from a New Zealand third country or market whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP, up to a maximum of 5 % by weight of products of agricultural origin.

Guidance

- The countries or markets whose rules of production and inspection have been recognised by MPI as equivalent to the OOAP referred to in clause 1.4.2(4)e) are:
 - Australia;
 - China;
 - Japan (plants and processed plant products only);
 - Switzerland;
 - Taiwan;
 - United Kingdom;
 - United States of America.

- (3) All imported ingredients must meet the following criteria:
 - a) the ingredient was securely packaged within a country or market described in subclause (2)c), (d) or (e); and
 - b) the ingredient was certified within that market; and
 - c) the ingredient has been protected at all times from contamination or substitution between leaving the certified operator in the country or market of export until delivery to an operator certified to this OER.

1.4.3 Organic grape wine

- (1) The following oenological practises, processes and treatments must not be used:
 - a) enrichment of wine by partial concentration through cooling;
 - b) elimination of sulphur dioxide by physical processes;
 - c) electrodialysis treatment to ensure the tartaric stabilisation of the wine;
 - d) partial dealcoholisation of wine;
 - e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine;

- f) enrichment of grape must by partial concentration using reverse osmosis, for wines made in the 2022 vintage and later.
- (2) The following processing aids must not be used: lysozyme.
- (3) The following oenological practises, processes, and treatments may be used subject to the noted restrictions:
 - a) the temperature for heat treatments must not exceed 70 °C;
 - b) the pore size for centrifuging and filtration with or without an inert filtering agent must not be smaller than 0.2 µm;
 - c) enrichment of grape must by partial concentration using reverse osmosis, for wines made up to and including the 2021 vintage.

1.4.4 Maximum residue limits

Guidance

- Products intercepted in the EU that are found to have detectable residues of substances not permitted in organic production systems, may be prevented from being sold as organic by the authorities until a full investigation into the cause of the contamination has been concluded.
- Substances not permitted in organic production systems include any substance not permitted in the relevant OAP requirements.
- Individual EU Member States may (however are not obliged to) allow the contaminated product to be released for sale as “organic” in their markets if the investigation concludes that:
 - the operator had taken all reasonable efforts to identify, monitor and control potential contamination pathways to avoid the contamination of organic production with such products and substances, and
 - the recognised agency had taken all reasonable efforts to verify that the risks from inadvertent contamination had been identified and were being monitored and controlled, and
 - the operator and recognised agency can demonstrate that they have regularly and actively reviewed all potential contamination pathways, and adjusted risk management procedures accordingly, and
 - the root cause of this contamination has now been identified, and effective corrective actions are introduced to avoid a repeat interception.
- Residues of substances that are permitted in organic production systems, may be detected up to the maximum residue limit set in EU law for the relevant product/substance.
- The following database has the maximum limits for different markets, for different horticultural crops from the MPI website at <https://www.mpi.govt.nz/resources-and-forms/registers-and-lists/maximum-residue-levels-database/>

1.5 Recognised Agency Requirements

- (1) Only agencies and persons recognised by MPI to provide services under OER: RAP and this OER can verify operator compliance with this OER.

Guidance

- A list of the agencies recognised by MPI, and their recognised persons, can be obtained from the MPI website at [Organic exports: recognised agencies and persons](#).

1.5.1 OMP evaluators

- (1) In addition to the requirements in OER: RAP clause 3.1.1, when evaluating OMPs for compliance with this OER, OMP evaluators must evaluate:
 - a) inputs for compliance with the requirements in clause 1.4;

- b) product recipes for processed products for compliance with the requirements in clause 1.4.2; and
 - c) labels for products intended to be exported under this OER for compliance with the requirements in clause 1.3.3.
- (2) OMP evaluators must validate the authenticity, accuracy, and current validity of organic certificates for any imported organic ingredients used in products processed in New Zealand under clauses 1.4.2(4)c), (d) and (e), as part of the product recipe evaluation process.

Guidance

- For organic ingredients imported from the EU, the European Commission webpage on Organic Farming provides a link to a database where the organic status of the operator(s) can be checked which may be obtained from the EU website at [Organic operator certificates \(europa.eu\)](https://ec.europa.eu/organic/operator-certificates/)

1.5.2 OMP verifiers**Guidance**

- There are no additional requirements to those already specified in OER: RAP clause 3.1.2.

1.5.3 OMP certifiers**Guidance**

- There are no additional requirements to those already specified in OER: RAP clause 3.1.3.

1.5.4 Export certificate verifiers

- (1) In addition to the requirements in OER: RAP clause 3.1.4, export certificate verifiers must review Certificates of Inspection against the details listed in the application form described in 1.3.4(2)a) for accuracy.

Guidance

- There are no additional requirements to those already specified in OER: RAP clause 3.1.4, however, where the exporter has indicated in the application form referred to in subclause 1.3.4(2)a) that a product in the consignment was made with imported ingredients, MPI encourages export certificate verifiers to check with the OMP certifier that the imported ingredients remain compliant with this OER.

1.5.5 Managing operator registrations in TRACES-NT

- (1) Recognised agencies described in 1.5 (1) must manage registration of operators in TRACES-NT as follows:
- a) check, and validate when accurate, a registration request submitted by an exporter in TRACES- NT to register for TRACES-NT, when that exporter complies with clause 1.3.2;
 - b) check, and validate when accurate, a registration request submitted by an exporter in TRACES- NT in accordance with clause 1.3.2(4)b) on behalf of an operator (organic producer or organic processor), when that operator complies with clause 1.3.1;
 - c) suspend registration in TRACES-NT of [organic](#) exporters or operators that are not complying with this OER;
 - d) delete registration in TRACES-NT of [organic](#) exporters or operators that are no longer certified to this OER.

Guidance

- Persons responsible for implementing administrative tasks described in subclause (1) are not required to be recognised persons.
- Each person will need an individual EU login and a validated user profile.

- Contact MPI Plant, Wine and Organic Assurance on organics@mpi.govt.nz for instructions on requesting a user profile, to arrange training and (if successful) validation.