Wine Australia for Australian Wine

# Organic Wine

# **Export Requirements**



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# **Updates**

February 2024 updates:

- China guidance
- Japan guidance
- Mexico guidance
- Switzerland guidance

### April 2024 updates:

• United States guidance

June 2024 updates:

- United Kingdom guidance
- European Union guidance
- Vietnam guidance

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#### Disclaimer

The information contained in this guide represents Wine Australia's interpretation of the regulatory requirements in these markets as they apply to Australian wine. Whilst due care and diligence has been exercised in preparing this guide it is not intended to be a substitute for legal advice and should not be relied upon as such. Information provided may not be completely accurate as regulations may have changed since its publication or because clear information is not available. Wine Australia recommends exporters consider seeking local independent advice prior to exporting products to market.

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# **Exporting organic and biodynamic goods**

The Department of Agriculture, Fisheries and Forestry (DAFF) administers the export program for the export of organic and biodynamic goods in Australia. The primary objective of the program is to ensure that organic and biodynamic produce exported from Australia meets the requirements of importing countries, ensuring that international market access is maintained. The Department provides export certification and declarations in line with Australia's export regulatory framework and importing country requirements.

Australia's organic regulatory export framework is made up of:

- the Export Control Act 2020
- organic specific legislation including the Export Control (Organic Goods) Rules 2021
- the <u>National Standard for Organic and Biodynamic Produce</u> (National standard) Australia's organic export standard
- policy documents including Administrative Arrangements which outline how Approved Certifying Bodies must operate to ensure Australia's organic export framework operates as intended and the guidelines which outline the requirements for issuing and managing Organic Goods Certificates.

The Organic Rules specify the certification requirements that must be complied with for the export of organic goods. Any product described as 'organic' or 'biodynamic' (or indication of similar meaning, including 'biological', 'ecological' and 'in-conversion to organic or biodynamic') in a wine's description and presentation is considered an organic claim and is captured by the export controls.

A step-by-step guide to exporting organic and biodynamic goods can be found on the DAFF website.

# National standard

Organic and bio-dynamic produce for export must be certified by an <u>approved certifying body</u>, verifying that the produce has been prepared in accordance with the new <u>National Standard for Organic and Bio-Dynamic Produce—Edition 3.8 November 2022.</u> Edition 3.8 entered into force on **1 January 2023.**Under the National Standard, wine is defined as 'the product of the complete or partial fermentation of fresh grapes, fruit and / or vegetables, or a mixture of that product.' Standard 3.2 states that 'organic wine shall be produced entirely from organic raw material, and only certain products and substances authorised in accordance with this Standard shall be allowed to be added.'

# Permitted oenological practices

Permitted oenological practices for organic wine are:

- a. Crushing in material that is appropriate (food grade plastic or stainless steel)
- b. Clarification and fining with approved products (refer to the permitted additive and processing aid tables below)
- c. Fermentation with naturally occurring yeasts on fruit and non-genetically modified yeasts or bacteria
- d. Maturation and storage in food grade inert materials, including new barrels, dedicated organic barrels or barrels that have been cleaned to remove interior residues
- e. Stabilisation using approved products (refer to the approved processing aid table below)

- f. Sulphur dioxide for preserving wine to a maximum level (refer to the maximum sulphur dioxide content table below)
- g. Processing methods that include settling, centrifugation, chilling, heating (temperature shall not exceed 70 degrees Celsius), filtration with approved media (the size of the pores shall be not smaller than 0.2 micrometres), and treatment with inert gas
- h. Bottling or packaging in new containers sealed with non-contaminated cork or other inert materials.

## Oenological practices not permitted for organic wine are:

- a. Partial concentration by cooling
- b. Partial dealcoholisation of wine
- c. Elimination or reduction of sulphur dioxide through physical processes
- d. Tartaric stabilisation of wine through electrodialysis, or treatment through cation exchangers
- e. Heat treatments shall not exceed 70 degree Celsius
- f. Centrifuging and filtration filters shall not have pores smaller than 0.2 micrometres (with or without permitted inert filtration aids).

Only the additives and processing aids listed below may be used for organic wine.

Operators shall maintain records and documentation, for a period of at least five years, commencing from the year of release of each wine label. Records shall include:

- a. the quantities of wine released and held in litres:
  - i. for each wine label, and
  - ii. for each year.

### Permitted additives

#### Permitted food additives for plant products (including wine)

INS	Substance	Conditions/restrictions	
170	Calcium carbonate	None. Wine use – acidity regulator	
220	Sulphur dioxide	Wine only. Additions are limited by wine style/sweetness (see	
		table below)	
224	Potassium metabisulphite	Wine only. Additions are limited by wine style/sweetness (see	
		table below)	
270	Lactic acid	Fermented vegetable products	
290	Carbon dioxide	None	
296	Malic acid	None. For wine use as acidity regulator	
300	Ascorbic acid	Non-synthetic if commercially available	
306	Tocopherols	Antioxidant only	
322	Lecithin	Obtained without bleaching or organic solvents	
330	Citric acid	Fruit and Vegetable products	
335	Sodium tartrate	Cakes/confectionary	
336	Potassium tartrate	Cereals/cakes/confectionary	
341	Monocalcium phosphate	Raising flour only	
400	Alginic acid	None. Wine use - fining	
401	Sodium alginate	None	
402	Potassium alginate	None	
406	Agar	None	

410	Locust bean gum	None
412	Guar gum	None
413	Tragacanth gum	None
414	Arabic gum	Milk, fat and confectionary products and wine. Derived from
		organic material if available. Wine use – fining
415	Xanthum gum	Fat products, fruit and vegetables, cakes and biscuits, salads
416	Kataya gum	None
440	Pectins	None
500	Sodium carbonate	Cakes and biscuits/confectionary
501	Potassium carbonates	Cereals/cakes and biscuits/confectionary
503	Ammonium carbonate	None
504	Magnesium carbonate	None
508	Potassium chloride	Frozen fruit, vegetables/canned fruit and vegetables, vegetable
		sauces/ketchup and mustard
509	Calcium chloride	Milk products/fat products/fruit and vegetables/soy bean
		products
511	Magnesium chloride	Soy bean products
516	Calcium sulphate	Cakes and biscuits/soy bean products/bakers yeast
524	Sodium hydroxide	Cereal products
938	Argon	None
941	Nitrogen	None
948	Oxygen	None
	Tannins	Wine only for flavour. Derived from organic material if available
	Tannic acid	Wine only for flavour. Derived from organic material if available

See Appendix I of the <u>National Standard for Organic and Bio-Dynamic Produce</u>.

# Maximum sulphur dioxide contents in organic wine

Permitted levels of sulphur dioxide in organic wine:

Wine type	Residual sugar	Maximum level of sulphur dioxide
Red wine	<2g/I	100mg/I
Red wine	>2g/l ≤5g/l	120mg/l
Red wine	>5g/I	170mg/l
White/Rosé wine	<2g/I	150mg/I
White/Rosé wine	>2g/l ≤5g/l	170mg/l
White/Rosé wine	>5g/I	220mg/l
Liqueur wine	<5g/I	120mg/l
Liqueur wine	≥5g/I	170mg/l
Quality sparkling wine	N/A	155mg/l
Other sparkling wine	N/A	205mg/l

See Appendix I of the National Standard for Organic and Bio-Dynamic Produce.

# Permitted processing aids

Permitted processing aids for plant products (including wine):

Substances	Specific conditions/restrictions

Activated carbon	From vegetative sources only for wine	
Bees wax	Releasing agent	
Bentonite	Derived from organic material if available. Wine use - fining	
Calcium carbonate	None	
Calcium chloride	Coagulation agent	
Calcium hydroxide	None	
Calcium sulphate	Coagulation agent	
Carbon dioxide	Food grade	
Carnauba wax	Releasing agent	
Casein	Derived from organic material if available. Wine Use - fining	
Cellulose	Wine only: Must be food grade	
Chitosan	Wine only: Derived from Aspergillus niger. Use - fining	
Citric acid	pH adjustment	
Cupric Citrate	Wine only. Use - fining	
Diammonium phosphate (DAP)	Wine only: permitted if Yeast Assimilable Nitrogen (YAN) is <150mg/L, with maximum dose 100g/hL. Use - fermentation	
Diatomaceous earth	Food grade	
Egg white albumin	For wine it must be certified organic. Wine use - fining	
Ethanol	Solvent	
Food grade phosphoric acid	For initial sugar cane processing	
Gelatin	Derived from organic material if available. Wine use - fining	
Grape Juice Concentrate	Wine only for chaptalisation/enrichment: Must be certified	
	organic	
Hazelnut shells	None	
Isinglass	None. Wine use - fining	
Kaolin	None. Wine use - fining	
Lactic Bacteria	Wine only: must be non-synthetic. Use - fermentation	
Magnesium chloride (or Nigari)	Coagulation agent	
Nitrogen	Food grade	
Oak chips/staves/beans	Untreated with prohibited materials; packed in allowed materials (beans etc to be immersed in wine). Wood of Quercus species	
Oxygen	Food grade	
Pea or Wheat protein	Wine only for fining: Derived from organic material if available	
Pectolytic Enzymes	Wine only – assist extraction of juice during crushing and settling the juice (fining)	
Perlite	Food grade.	
Potable water	None	
Potassium carbonate	Drying agent for raisins, use must be indicated on the labelling	
Potassium bicarbonate	Wine only for acidity regulator	
Potassium bitartrate (cream of tartar)	Wine only for stabilisation	

## (Potassium hydrogen tartrate)

Potassium hydroxide	pH adjustment for sugar processing, traditional saponification
Potato proteins	Wine only for fining
Silicon dioxide	As gel or colloidal solution. Wine use - fining
Sodium carbonate	Sugar production
Sodium hydroxide	pH adjustment in sugar production, traditional saponification
Sulphuric acid	pH adjustment of extraction water in sugar production
Talc	None
Tannic acid	Filtration aid
Tartaric acid/salt	Stabiliser, sequestrant
Thiamine Hydrochloride (Vitamin B1)	Wine only. Use - fermentation
Vegetable oils	Greasing or releasing agent
Yeast	Wine only: non-synthetic only. Growth on petrochemical substrate and sulphite waste liquor is prohibited. Use - fermentation
Yeast autolysates (Autolysates of yeast)	Wine only: Derived from organic material if available
Yeast Hulls	Wine only: Derived from organic material if available. Use - fermentation
Yeast inactivated (Inactivated yeast)	Wine only: Derived from organic material if available
Yeast Mannoproteins	Wine only: Derived from organic material if available. Wine use – fining
Yeast Protein Extracts	Wine only: Derived from organic material if available. Use - fining
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See Appendix K of the National Standard for Organic and Bio-Dynamic Produce.

# Organic goods certificates

For export, wines with organic claims require an Organic Goods Certificate (OGC) issued by their approved certifying body prior to obtaining export approval. Exporting wines presented as organic without an OGC is an offence under the Organic Rules and can attract significant penalties.

Requirements for the export of organic product vary dependent on the level of recognition between trading countries of certification and product origin. For example, there are specific requirements for the export of products to China, Korea and the US, where stand-alone national organic programs are administered. Additional requirements apply for EU and UK shipments. For the EU and UK, all stages of the supply chain must be certified, including manufacturers, importers, exporters and wholesalers.

There are four types of organic certificates:

- 1. EU Certificate of Inspection (Col)
- 2. UK Certificate of Inspection (Col)
- 3. Switzerland Certificate of Inspection (Col)
- 4. OGC for all other countries (EX1399).

## What is an organic claim?

The Organic Rules defines an organic claim as any claim that describes a product, or which describes the ingredients used to make a product, as organic, biodynamic, biological, ecological (or any other similar

description), and includes products that are described as 'in-conversion' to organic or biodynamic. For example, 'organic wine', '100% biodynamic', 'made using organic grapes or 'certified organic'. Wine Australia has provided the following examples of label claims that are or are not considered 'organic claims' for the purposes of the Organic Rules. This is based on our own interpretation of the rules and should not be considered authoritative. For a definitive ruling on your label please contact DAFF.

# Example labels that are considered organic claims







Claims including 'organic shiraz', 'in-conversion to organic' and 'made with organic grapes' are considered organic claims for the purposes of the Organic Rules and require an OGC for export.

# **Market Overviews**

# **United Kingdom**

From 1 January 2021, all organic goods imported from non-EU countries must be accompanied by a valid GB Certificate of Inspection (Col). The UK no longer uses the EU's Trade Control & Expert System (TRACES) to import organic food. Great Britain retained the EU organic regulations in the domestic legal framework in the UK, although with minor amendments to ensure they are operable. Northern Ireland continues to operate under EU rules and regulations for organics, including TRACES.

A GB Col is required to be sent to the relevant Port Health Authority in Great Britain in order to complete the import clearance process. The GB Col requires signing by an Approved Certifying Organisation prior to export from Australia.

The COI and extract COI templates and notes have been amended, specifically box 2 to remove redundant tick boxes. This new template should be used for imports into Great Britain (GB) from 1 September 2023. Consignments that have left the country of export before this date are accepted with the previous COI template. Pease find a copy of the updated approved by DEFRA <a href="here">here</a>.

The following information was obtained from the Australian Department of Agriculture, Fisheries and Forestry:

#### GB COI process for export from Australia

- 1. For products certified on or after 1 January 2021, the GB COI is to be completed in advance by the exporter and emailed to the relevant Australian certifying body to verify the consignment is organic.
- 2. The certifying body signs and stamps box 18 of the GB COI. The endorsed GB COI is then scanned and emailed to the exporter AND the original endorsed GB COI is returned to the exporter.
- 3. The exporter sends the original endorsed GB COI to the destination address and emails a copy of the GB COI to the importer.

### GB COI process for importer on or prior to arrival in GB

- 4. The importer is to phone or email the GB Port Health Authority (PHA) at least 24 hours in advance of the arrival of the consignment. The importer must also email the GB COI, organic certificate and shipping documents.
- 5. If the consignment is to be split, the importer shall submit an extract of the certificate of inspection to the relevant PHA.
- 6. The PHA check documents and carry out any necessary physical checks or testing. If the consignment passes, they endorse by signing and stamping Box 20 or Box 13 of the extract of the certificate of inspection and clear the goods for onward movement. (A copy can be endorsed, as long as the original is also endorsed within 10 working days).
- 7. If the goods are cleared, the importer shall indicate the number of the GB COI in the customs declaration for free circulation.

- 8. First consignee collects the goods, signs Box 21 or Box 14 of the extract of the GB COI and ensures the importer receives the endorsed GB COI. The consignee of a batch shall keep the extracts of the GB COI for no less than 2 years.
- 9. The importer shall keep the original endorsed COI and copies of the endorsed extracts of the GB COI on file for at least 3 years.
- 10. The organic control body in Great Britain may check GB COI during routine inspections of importers.

The Australian Department of Agriculture, Fisheries and Forestry's <u>website</u> includes a GB Col template as well as detailed information on how to complete the template.

# **European Union**

Organic products are regulated by <u>EU Regulation 2018/848</u> on organic production and labelling of organic products and <u>EC Regulation 1235/2008</u> on the arrangements for imports of organic products. <u>EU Implementing Regulation 2021/1165</u> outlines the specific rules applicable to wine.

Australia has been recognised as a third country whose rules on organic production and control are equivalent to the European Union's (EU) under the Australia – EU equivalence arrangement, however, this excludes wine. Wine exporters must be certified under an organic standard recognised by the EU.

A number of Australian approved certifying agents are listed under the Australia-EU equivalency recognition. For organic wine exporters, operators need to be certified with either <u>Australian Certified Organic</u> (ACO) or <u>Southern Cross Certified</u> (SXC) who have direct EU recognition for certifying organic wine as equivalent to the EU organic wine regulations. Certification and renewal fees apply. Please note that <u>NASAA Certified</u> <u>Organic</u> (NCO) is no longer accredited to certify Australian organic wine exported to the EU market.

Specific rules are set for organic winemaking, including a technical definition of organic wine which is consistent with <u>EU organic farming</u> objectives and principles. Organic wine must be made with organic grapes and yeast, however, there are a number of other restrictions that also apply. These include:

- a prohibition on the use of sorbic acid and desulphurisation
- the level of sulphites in organic wine must be lower than their conventional equivalent (depending on the residual sugar content). See the table below:

Organic wine type	Residual sugar*	Maximum level of sulphur dioxide
Red wine	<2g/I	100mg/l
Red wine	>2g/l ≤5g/l	120mg/l
Red wine	>5g/l	170mg/I
White/Rosé wine	<2g/I	150mg/I
White/Rosé wine	>2g/l ≤5g/l	170mg/I
White/Rosé wine	>5g/l	220mg/l
Liqueur wine	<5g/l	120mg/l
Liqueur wine	≥5g/l	170mg/I
Quality sparkling wine	N/A	155mg/I
Other sparkling wine	N/A	205mg/l
Other organic wine	Conventional wine limits reduced by 30 mg/l	

<sup>\*</sup>sugar is the sum of glucose + fructose

## Organic labelling

Products certified by an EU recognised certifying agent may use the term 'organic wine' on their labels in conjunction with the EU leaf logo and the mandatory code number of the certifier. The logo and labelling guidelines can be downloaded here – <u>The organic logo - European Commission (europa.eu)</u>

To qualify for use of the EU logo the following conditions must be met:

- At least 95% of the product's ingredients are of agricultural origin and have been organically produced to a standard recognised by the EU.
- · Products comply with the control measures of their EU recognised certifying agent.
- Labels must declare the name of the producer.
- Labels must declare the EU code of the inspection body (obtained from your EU recognised certifying agent).

Products in conversion are not permitted to use the EU leaf logo or refer to the product as organic. Wines labelled as organic must have a Certificate of Inspection (COI) validated via TRACEs before it can be accepted at the EU port of discharge. Wine Australia now accepts this document for export applications. Further information can be seen on the EU Organic Farming website – Organic farming - European Commission (europa.eu)

### EU organic logo



Further information can be seen on the EU Organic Farming website – <u>The organic logo - European Commission (europa.eu)</u>.

For further advice on use of the logo, place of production and code number, members are advised to contact their <u>Organic Certification Body</u>. Further information can be seen on the EU Organic Farming website – <u>Organic farming - European Commission (europa.eu</u>).

# **United States**

The <u>National Organic Program (NOP)</u> is a stand-alone certification program developed by the United States Department of Agriculture (USDA) which came into effect in October 2002 to regulate organic production, processing and marketing in the US. NOP certification is required for organic wine exporters to access the US market and the standard can be viewed <u>here</u>. To see if you are affected by the SOE Final Rule, please read the <u>SOE Final Rule</u>, and <u>SOE Final Rule Primers</u>. Wine Australia understands that all operations of the supply chain except for operations that don't produce/process/repack products need to be NOP accredited.

From 19 March 2024, Australian wine exporters should be aware of the USDA NOP Import Certificate requirement changes as part of the <u>Strengthening Organic Enforcement</u> (SOE). To see if you are affected by the SOE Final Rule, please read the <u>SOE Final Rule</u>, and <u>SOE Final Rule</u> Primers.

Organic products imported into the U.S. will require the issuance of an electronic NOP Import Certificate. Important considerations are as follows:

- Organic certification requirements for exporters and importers for importing organic product into the US, and other businesses within the supply chain.
- The electronic National Organic Program Import Certificates must be included with shipment data.
- Certified operations will need to develop an organic fraud prevention plan.

A database of eligible USDA-NOP certifiers can be found here.

#### Labelling category: 'Organic'

Wine in the 'organic' labelling category must be overseen by a certifier, who verifies that the wine meets all appropriate specifications in the USDA organic regulations, such as:

- Yeast must be certified organic unless the desired strain isn't available in organic form.
- All agricultural ingredients (such as grapes) must be certified organic except per the National List of Allowed and Prohibited Substances (National List).
- · Added sulphites are prohibited.
- Non-agricultural ingredients must be specifically allowed on the National List and may not exceed a combined 5 percent of the total product (excluding salt and water).

Wine in this category is permitted to use the USDA organic logo.

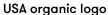
## Labelling category: 'Made with' organic grapes

Wine in the 'made with' labelling category must be overseen by a USDA recognised certifier, who verifies that the wine meets all appropriate specifications in the USDA organic regulations. Unlike 'organic' wine, wine 'made with organic grapes' may contain up to 100 ppm of sulphur dioxide. All grapes must be certified organic, but other agricultural ingredients (such as yeast) are not required to be organic. Non-agricultural ingredients must be specifically allowed on the National List.

This category is not permitted to use the USDA organic logo.

The TTB has published a document titled 'Labeling Organic Wine'. It can be downloaded from the TTB website – <a href="https://www.ttb.gov/alfd/alcohol-beverages-labeled-with-organic-claims">www.ttb.gov/alfd/alcohol-beverages-labeled-with-organic-claims</a>

The US Department of Agricultural Marketing Service (AMS) is proposing to amend the USDA organic regulations to strengthen oversight and enforcement of the production, handling and sale of organic agricultural products. The proposed amendments are intended to strengthen organic control systems, improve farm to market traceability and provide robust enforcement of the USDA organic regulations.





# **Argentina**

Wine labels may make organic, ecological or biological claims provided the wine has obtained the necessary organic certification. The certification must cover from the grape production chain to the production in the winery. The labels may include the 'Organic Argentina' logo and the name of the authorised certifying entity. Further information should be obtained from your agent.

# Brazil

Certified single ingredient organic products may be labelled as an 'organic product'. Products made of more than one ingredient, including additives, in which not all of the ingredients are of certified-organic origin must be labelled in the following manner:

- a. minimum of 95% certified organic ingredients = 'organic products'
- b. minimum of 70% and maximum of 95% certified organic ingredients = 'products with organic ingredients'. The label must list the proportions of the organic and non-organic ingredients.
- c. products with less than 70% certified organic ingredients are not eligible to be labelled as organic.

All operators in the supply chain must be certified to the Brazilian organic regulation. Brazil uses a mandatory national organic logo for certified organic products that applies to both domestic and imported products. The official label (SisOrg - Selo do Sistema Brasileiro de Avaliação da Conformidade Orgânical) is mandatory, with two versions (one for audit certification and one for the Participatory Guarantee Systems (PGS)) as shown below:





In order for imported organic products to be sold in Brazil the product must be certified by an organic conformity assessment body accredited by MAPA or the Federal Agency INMETRO. Brazil does not have equivalence agreements with any country. Therefore, anyone wishing to export organic produce to Brazil must be certified by a third-party certification body approved to operate in Brazil. Organic certification must be submitted at the time of product registration.

## Canada

such a claim.

Any agricultural product that is labelled organic is regulated by the Canadian Food Inspection Agency (CFIA). Organic products are regulated under the *Organic Products Regulation 2009*.

Products cannot use the term 'organic' or another term which infers the product is organically grown unless it has been certified under the Canadian Organic Standard (COS). It is possible to obtain an equivalency agreement with Canada; however, Australia's certification system is not currently recognised. Biodynamic products are not covered by the Canadian Organic Products Regulations, however, any 'biodynamic' label claims must be accompanied by a certificate issued by a competent body supporting

Wines which have been certified under COS may be labelled with the words 'Vin biologique/organic wine' (in both French and English) and must identify the complete name of the certification body.

#### Imported organic products

Organic products imported from countries with whom Canada has established an equivalency arrangement must be certified by a body accredited by that foreign country and recognised in Canada. Such products are eligible to display the Canada Organic logo.

The CFIA has accredited a number of certification bodies located outside Canada that have been accredited to certify organic products under the *Organic Products Regulations 2009*. For Australia, the certified body is nominated as Soil Association Certification Limited, based in the United Kingdom.

#### **Australia**

#### Soil Association Certification Limited

South Plaza, Marlborough Street Bristol, BS1 3NX United Kingdom

Telephone: 0117 314 5000 Facsimile: 0117 314 5001

E-mail: goorganic@soilassociation.org
W: www.soilassociation.org/certification

#### United States NOP certification

Alternatively, exporters wishing to access the Canadian Organic Market can do so with a US National Organic Program (NOP) certification and an Equivalence Attestation from their Australian organic certifier (ie, NASAA Certified Organic (NCO) or Australian Certified Organic (ACO)).

According to NCO, the Equivalence Agreement signed between the US and Canada (USCOEA) enables operators certified under the US NOP to label organic goods for export to Canada providing the following conditions are met:<sup>1</sup>

- The Chain of Custody must be fully NOP compliant this means that for any product to be exported to Canada, each part of the chain must be NOP certified.
- An Equivalence Attestation is required to accompany organic raw and processed products shipped to Canada under the NOP Organic Certification. This is obtained from your certifier and is in the form of a letter or certificate. This is a requirement so that products crossing the borders are verified to meet the terms of the USCOEA and must appear on documentation travelling with the shipment.
- Organic labelling rules in Canada are different to that of the US. US labels can have '100% Organic' and 'Made with Organic' on the front panel, but Canada does not allow this. Canadian labels also have to be bilingual (French and English).

NCO can produce an Equivalence Attestation upon inspection of the product to be exported and the label. NCO may authorise use of the Canadian label or the NOP label may be used.

<sup>&</sup>lt;sup>1</sup>See www.nasaacertifiedorganic.com.au/certprograms/steps-to-certification/export-requirements

#### **Analytical requirements**

Analytical Parameter		Specification Maximum	
Sulphu	r Dioxide Organic wines		
Free			
•	< 50 g/L residual sugar	30 mg/L	
•	50-99 g/L residual sugar	35 mg/L	
•	>99 g/L residual sugar	45 mg/L	
Total			
•	< 50 g/L residual sugar	100 mg/L	
•	50-99 g/L residual sugar	150 mg/L	
•	>99 g/L residual sugar	250 mg/L	

### Canada organic logo

Imported products that bear the logo must include:

- the statement 'Product of', immediately preceding the name of the country of origin, or
- the statement 'Imported', in close proximity to the logo

These statements must appear on the label in both French and English.



Further information can be seen here – <u>Organic products - Canadian Food Inspection Agency (canada.ca)</u>
The organic standards can be viewed here – <u>Canadian Organic Standards - Canadian Food Inspection</u>
<u>Agency (canada.ca)</u>

# Chile

Chile's technical standard (Law No. 20,089) on agricultural organic products came into force in 2016. Imported organic products may be marketed in Chile provided the SAG recognises the organic production standards in the country of origin as equivalent to Chile's organic standard. This may be achieved by an equivalency agreement between Chile and the relevant authority in the country of origin. To date, only the EU has gained such equivalency. Only countries which have obtained equivalency are permitted to use the Chilean official seal.

To import Australian wines with organic claims the importer must submit to SAG:

- A copy of the organic certificate for the wine;
- Evidence that the organic certifier is accredited by the competent authority (the Department of Agriculture, Fisheries and Forestry in Australia). The evidence may require a transaction certificate in a format established by the SAG;

Any other information deemed necessary by SAG to prove the validity of the organic claim. This may
include expert reports on the production standards and control measures applied in the country of
origin.

Wines made from 100% organic grapes can be labelled as 'Organic Wine' on the main label of the bottle. The name of the organic certification body must be indicated on the back label.

# China

Chinese certification systems and foreign organic certification systems are not mutually recognised.

Organic products that have not been certified by China or products that have only been certified by an overseas organic certifying body cannot be labelled as 'organic' or 'in-conversion to organic' or other labelling terms claiming to be organic.

In order to ensure the quality of imported organic products and to reinforce the regulation on organic produce, Chinese authorities have advised they will verify consignments in accordance with the Implementing Rules on Certification of Organic Products 2019 (amended 2022). The State Administration for Market Regulation (SAMR) is the responsible authority for managing organic food certification and accreditation, including the issuance of national standards and certification regulations for organic food. If imported products are declared as organic or imported products are found at inspection to be labelled as 'organic' on their packages, labels, instructions or promotion materials; import verification shall apply which includes:

- verification of the certificate and logo
- consistency evaluation between the product and its label
- determination of whether the product logo used is within the product scope
- for single and multiple entries, verification of the quantity identified on the certificate
- · determination of compliance of any dual logo requirements.

A Chinese organic certificate can be verified using China's Food and Agriculture Products Certification Information System. Chinese port officials utilise a 'case-by-case' reporting system based on the entry of organic products. Each batch of imported organic products is reported to the Certification Supervision department within three days of inspection. Information reported includes inspection number, product name and quantity (weight), trading value, organic certificate number and the result of the inspection. If imported organic products have not received a Chinese organic certificate, but display 'organic' on product packages, labels, instructions, or promotion materials it will be reported as a 'major issue'. Organic products that have not been issued a Chinese organic certificate can be imported as conventional products after they have been modified and comply with the relevant regulations and standards. If this is not possible, these products will be destroyed or re-exported.

According to Certification and Accreditation Administration of China (CNCA), there are a number of certification agencies in China approved by the Administration to certify organic labels. NCO and ACO have partnered with Chinese certification company China Organic Food Certification Center (COFCC) to offer certification to the Chinese Organic Regulation GB/T 19630-2019. They can offer access to a Chinese Inspector based in Australia to ensure timely and cost-effective certification for exporters of organic

products to China. It typically takes three to six months and over A\$10 000 to apply for and obtain a Chinese organic food certificate.

The Chinese Organic Regulation GB/T 19630 requires certification of the entire supply chain from farm through to manufacture. Certification includes submission and review of application documents and an audit of the facility. COFCC completes a review and issues certification. Re-certification requires a new application and audit.

#### Australian certification

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- Application form
- Questionnaire
  - o Documents required
    - Business licence
    - Food licence (if applicable)
    - Map (locational, farm/processing/storage)
    - Water test, soil and product test results
    - Organic management plan
      - Quality Management plan
      - Environmental management plan
      - Procedures and templates
    - Sample records of inputs, seeds, planting, harvest, sales, livestock, cleaning, pest control, ingredient purchases, ingredient transport, product recall, complaints, staff training, internal audits, production records,
    - Pictures of the business

## Recertification

- Application form
- Recertification application form
- Documents and records as above

### Chinese organic logos





# **Hong Kong**

Consumers in Hong Kong are becoming more aware of the adverse effects of chemical fertilizers, preservatives and pesticide residues in food. As such, bio-dynamic, natural, vegan-friendly, organic and sustainable products are seeing significant growth in Hong Kong. Domestically, Hong Kong has approximately 130 organic-certified farms, aqua-farms and food processing plants, however, local suppliers have difficulty meeting demand. Hong Kong consumers have the desire and capacity to pay for high-quality imported organic food and wine.

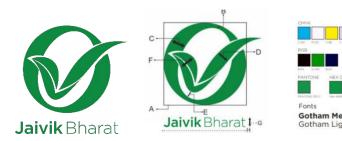
Currently, Hong Kong has not imposed any legislation regarding organic certification and labelling, for local or imported organic products. Australian wine producers should follow domestic organic labelling rules and consult with their importer regularly for any changes.

# India

The Food Safety and Standards (Organic Foods) Regulations 2017 regulate organic food production. Any food which claims to be organic must be certified under either the National Programme for Organic Production (NPOP) or the Participatory Guarantee System for India (PGS-India). The two systems provide for third-party certification to India's National Standards for Organic Production. Only additives or processing aids permitted in the national standard are permitted in organic food.

Organic food which has been certified against India's National Standards for Organic Production may carry a certification or quality assurance mark of the certifier in addition to the Food Safety and Standard Authority of India's organic logo. 'In-conversion' to organic foods are not permitted to use the logo.

#### Food Safety and Standard Authority of India's organic logo



# Indonesia

Processed foods that meet Indonesia's organic processed foods requirements may use the words organic and Indonesia's organic logo on their labels as below. Domestic and imported organic food must have an organic certificate issued by an Indonesian Organic Certifier or a Foreign Organic Certifier domiciled in Indonesia and accredited by National Accredited Committee (KAN). Imported organic product is also allowed to have an organic certificate issued by the certifier in the country of origin that is recognised by KAN. Foreign organic logos can be placed next to the Indonesian logo.



# Israel

Israel follows European Union organic standards and requirements. Israel's organic standard is contained in the Law for the Regulation of Organic Produce, however, it is not mandatory for imported organic food to be certified against this standard unless the imported product wishes to use Israel's uniform organic symbol. In such cases, applications must be submitted to Israel's Plant Protection and Inspection Service (PPIS). Refer to the Organic Products section in the EU Export Market Guide for further details.

# Japan

The Japanese Agriculture Standard (JAS) is administered by the Japanese Ministry of Agriculture, Forestry and Fisheries (MAFF). From 1 October 2023, the <u>JAS standards</u> were revised to include alcoholic beverages. The Australian Department of Agriculture, Fisheries and Forestry is preparing an equivalency arrangement application for organic alcoholic beverages. Until 30 September 2025, organic alcoholic beverages from Australia can be labelled and marketed as 'Organic' in Japan.

From 1 October 2022 to 30 September 2025, there are two ways organic alcohol beverages can be labelled, including:

## 1. New Standard

Affix the Organic JAS logo by obtaining the organic JAS certification. The new standard is compulsory from 1 Oct 2025.

### 2. Current (Now Former) Standard

Label products in accordance with the Japanese National Tax Agency's "labelling standards for organic alcohol beverages". MAFF has recognised the Australian National Standard as equivalent to JAS and has additionally approved ACO and NCO as organic certifying bodies for Australian producers. The equivalency means that exporters of organic wine need to obtain an Export Declaration from ACO or NCO to verify that the wine has been produced in accordance with the National Standard. This declaration must accompany the goods. This is the current (now former) standard and, although repealed with effect from 1 October 2022,

there is an allowed transition period with this standard continuing to apply until 1 October 2025 when the new standard becomes compulsory.

From 1 October 2025 an Organic JAS logo will be required for organic alcohol beverages which are labelled as "有機" ("Organic" in Japanese) or "Organic".

# Korea

The Korean Ministry of Agriculture, Food and Rural Affairs (MAFRA) administers the Korean Organic Act 2013. The Korean Organic Standard requires all domestic and imported organic produce and processed products to be certified by a MAFRA-accredited certifying agent. MAFRA may enter into equivalency agreements with foreign trade partners, however, Australia has not as yet obtained an agreement with Korea. Presently ACO is the only Australian certification body to gain accreditation to the Korean organic

standard. See <u>Korea standard (aco.net.au)</u>. NCO can provide organic certification to the Korean Organic Standard in association with Ecocert Korea. See <u>Organic Certification for South Korea - NCO Certified</u>
<u>Organic</u>.



Products must have a minimum 95% organic ingredients to be labelled as 'organic' or 'organic processed food'. The Korean organic logo may be used on products compliant with the Korean organic standards. The logo can be obtained from ACO or NCO. The label must also indicate the following:

Ministry of Agriculture, Food and Rural Affairs (MAFRA)

Environmentally Friendly Agriculture Division

Director: Kim Wan-su,

Deputy Director: Park Sang-hee

T: +82-44-201-2435

W: www.mafra.go.kr/english

Korea organic logo





# Malaysia

Wines must not be labelled with words including 'organic, 'biological', 'ecological', 'biodynamic' or similar unless they have been certified to the Malaysian Organic Food Certification Scheme. Companies may apply for organic food certificates only if they meet the following criteria:

- 1. The company is registered with the Companies Commission of Malaysia (SSM);
- 2. The processing premises have been in operation with organic food process controls for at least 3 months:
- 3. The premises has a license or approval from a government authority or a letter of authentication from any government agency;
- 4. The premises is registered with the Ministry of Health Malaysia (MOH);
- 5. The premises has a manual for controlling organic food processes;
- 6. The premises has implemented a food safety assurance system and adheres to the requirements of the Food Act 1983 and the Regulations;
- 7. The organic raw materials have obtained organic certification from an agency or body recognised by MOH.

Applications must be completed on the approved <u>form</u> and submitted to MOH. Fees are payable. Applications must be accompanied by the premises manual for controlling organic food processes and details of the organic certification. Certificates are issued with a three-year validity period. Renewal certificates must be submitted at least three months before the date of expiry and a fee is payable. The Malaysian scheme utilises the following food labelling categories:

Cri	iteria	Logo and labelling
1.	Products that contain 100% organic ingredients	<ul><li>Logo of organic food certifier</li><li>An organic statement such as '100% organic'</li></ul>
2.	Products that contain at least 95% organic ingredients	<ul> <li>Logo of organic food certifier</li> <li>An organic statement</li> <li>List of organic ingredients on the panel</li> </ul>
3.	Products that contain less than 95% but more than 70% of organic ingredients	<ul><li>Logo of organic food certifier</li><li>A statement such as 'produced with organic grapes'</li></ul>

Further information can be seen on the Safety and Food Quality Division website.

# Mexico

Mexico has developed legislation for the certification and inspection of organic products. In December 2020, Mexico announced that organic imports must be certified to Mexico's Organic Products Law (LPO) or a standard recognized as equivalent beginning 26 June 2021.

In the absence of an equivalency agreement between the Australian and Mexican governments, exporters can apply for certification under Mexico's organic scheme. The scheme is regulated by the National Health

Service for Food Safety and Quality (SENASICA). A list of LPO certifiers can be found on the <u>SENASICA</u> website. Further information about Mexico's organic program can be found <u>here.</u>

# Mongolia

Mongolia's framework for organic food is outlined in the Law on Organic Food of 2016. Refer to the Mongolia Export Market Guide for details on Mongolia's List of Substances Used in Organic Agricultural Industry and Industrial Food Production.

Labels of certified food products and raw materials specified in the Law on Organic Food may be marked as 'organic', 'pure natural' or 'naturally pure'.

No Australian certification agencies have been approved under the Mongolian standard as yet. Further information can be seen here – <a href="mailto:organic.gov.mn/#/home">organic.gov.mn/#/home</a>

# **New Zealand**

There is no official standard set for organic food products in New Zealand. In Australia, the Export Control Rules specific to organic products are made under the *Export Control Act 2020*, but organic goods for export to New Zealand are not prescribed under this Act.

Australian Export Controls require that products exported as organic be certified by an <u>approved certifying organisation</u>. However, by virtue of the Trans-Tasman Mutual Recognition Agreement, an Organic Goods Certificate issued by the Australian Department of Agriculture, Fisheries and Forestry is not a requirement for the export of organic products to New Zealand, unless it is required by the importer. Australian products certified by an approved certifying organisation can lawfully be sold as organic in New Zealand because they are unlikely to fall foul of the New Zealand consumer law.

In New Zealand, marketing claims and use of the term 'organic' on food labels is controlled through the Fair Trading Act 1986. This means that:

- representations about food must be truthful and accurate, and they must not mislead a consumer
- you must be able to demonstrate that products labelled as 'organic' are produced organically
- if you claim that your products are 'certified organic', you must be able to back this claim up with a certificate.

There are no mandatory labelling requirements for organic products imported into New Zealand. Marketing food domestically in New Zealand as 'organic' is regulated by the Commerce Commission.

Further information on importing organic products can be found here: <u>Steps to importing organics | NZ Government (mpi.govt.nz)</u>.

# Peru

SENASA (the Ministry of Agriculture and Irrigation) administers Supreme Decree 010-2012-AG which registers and approves accreditation bodies for organic production. Supreme Decree 061-2006-AG establishes the National Registry of Organic Production Accreditation Entities (NROPA). Under the technical regulations for

organic production (Supreme Decree 044-20006-AG), foreign organic products must comply with the Peruvian organic standard and be certified by an authorised entity of the NROPA.

In order to export wines with organic claims to Peru, exporters must provide their importer with their organic accreditation status in the country of origin in order to obtain SENASA's validation.

# Russia

On 3 August 2018, Russia published Federal Law No. 280-FZ 'On Organic Products and Amendments to Certain Legislative Acts of the Russian Federation'. The law entered into force on 1 January 2020. Below is an **unofficial translation** of the relevant aspects of the law. It is advisable to seek further advice from an accredited organic certifying body.

The Federal Law regulates the manufacture, storage, transportation, labelling and marketing of organic products. The law provides the following basic definitions:

- 8. **Organic products** eco-friendly agricultural products, raw materials and foodstuffs produced in compliance with the organic law.
- 9. Organic agriculture a set of economic activities carried out using practices, methods and technologies that strive to ensure favourable ecological situation, promote human health and to maintain and restore soil fertility.
- 10. **Manufacturers of organic products** legal entities and physical persons who are involved in the manufacture, storage, labelling, transportation and marketing of organic products and included in the unified state register of organic product manufacturers.

The following basic requirements must be met during the manufacture of organic products:

- 1. The manufacture or organic products is separated from the manufacture of non-organic products;
- 2. Ban on the use of agrichemicals, pesticides, antibiotics, growth stimulators, hormones, genetically modified organisms, hydroponic plant culturing and ionizing radiation;
- 3. Use of agents of biological origin to control pests and plant and the implementation of measures to prevent losses inflicted by pests to plants or products of plant origin that are based on the protection of entomophages (natural enemies of plant pests), the selection of plant species and varieties, and the choice of crop rotation, optimal plant raising techniques, and methods of thermal treatment of organic products;
- 4. The use of food additives, processing aids, flavouring agents, taste enhancers, enzymatic preparations, microelements, vitamins, amino acids envisaged in the national, interstate and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation\*.
- 5. Ban on mixing organic products with non-organic products during storage and transportation;
- Ban on the use of containers, shipping and retail packages which may cause contamination of the
  organic products and the environment, e.g., the use of polyvinylchloride for containers, shipping
  and retail packages.

Organic products must be certified with a 'Conformity Certificate' by certification bodies accredited by the Rosaccreditaciya of the Russian Federation. Organic product manufacturers are listed on the unified state register of organic product manufacturers.

Three Russian certification companies operate in the market: Organic Expert (<a href="http://organik-expert.ru/">http://organik-expert.ru/</a>), the Ecological Union (<a href="http://eco-control.ru/">http://eco-control.ru/</a>). There are also 15 international certification companies with EU permits for conducting inspection work in Russia. These companies include ABCert AG (<a href="http://www.abcert.de">www.abcert.de</a>) and Lacon Institut (<a href="http://www.lacon-institut.com">www.lacon-institut.com</a>) from Germany, Bio Inspecta (<a href="http://www.bio-inspecta.ch">www.bio-inspecta.ch</a>) from Switzerland, and Ecocert (<a href="http://www.ecocert.com/en">www.ecocert.com/en</a>) from France. Under Federal Law No. 280-FZ, all certification bodies are required to be certified by Rosaccreditaciya. Certified organic products may use the designated organic logo and describe the product as 'organic'.

# Singapore

Labels must not include the word 'organic', or any word of the same significance, unless the food is certified organic under an inspection and certification system that complies with s 6.3 of the Codex Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (GL 32-1999) or a similar system approved by the Singapore Director-General.

# **Switzerland**

Australia has obtained equivalency recognition for Plant and Plant product (excluding wine) by the Swiss Federal Department of Economic Affairs, Education and Research. The list of approved certifying bodies includes Australian Certified Organic (ACO), AQIS, Bio-dynamic Research Institute, NASAA (NCO) and Organic Food Chain. NCO and ACO have direct recognition for certifying organic wine. Switzerland does not have an official organic logo. Products sold as organic may use any logo for which they are compliant with the associated standards. If the EU seal is used, you must comply with all EU labelling requirements.

Switzerland's organic standard lists the permitted products and substances, practices and processes for wine production. The standard can be viewed here – <u>SR 910.181 - EAER Ordinance of 22 September 1997...</u> | Fedlex (admin.ch).

Since 1 January 2019 Switzerland uses the EU TRACEs program and requires a validated Certificate of Inspection (COI). Further information relating to Swiss import requirements of organic products can be found at <a href="Switzerland">Switzerland</a> | Micor | Department of Agriculture, Fisheries and Forestry.

# **Taiwan**

## Australia-Taiwan Organic Equivalency Arrangement

Following representations by the Australian Department of Agriculture, a bilateral organic equivalency arrangement entered into effect on 23 January 2020. The arrangement established regulatory requirements for organic produce sent from Australia to Taiwan and vice-versa.

Australian exporters of organic products must submit an application to the central competent authority (the Council of Agriculture, Executive, Taiwan) and obtain an approval number for labelling. Products must be labelled with the approval number before being sold in Taiwan.

Australian agricultural products are not allowed to use the Taiwan agricultural organic logo because Taiwan's legal requirements only permit the logo to be used for products produced in Taiwan. Products produced before 23 January 2020 are accepted provided they are accompanied with a valid organic produce certificate and any other export certification. Agricultural products that are produced in the organic conversion period or processed products that use agricultural products produced during organic conversion period as raw material or an ingredient are not included in the scope of the equivalence arrangement.

#### Imported organic product

On 30 May 2018, Taiwan passed a law to govern organic agriculture called the *Organic Agriculture*Promotion Act. This Act entered into force on 30 May 2019 and ceased to recognize all other organic systems as equivalent unless a bilateral organic equivalency agreement is in place. On 23 January 2020, Australia and Taiwan reached an organic equivalence arrangement that allows organic products certified in Australia or Taiwan to be sold as organic in either market.

Regulations for imported organic products are laid out in the Regulations for Managing and Reviewing Imported Organic Agricultural Products. More information can be found here: <u>Agriculture and Food Agency.</u> <u>Ministry of Agriculture > Organic Agriculture (afa.gov.tw)</u>.

Before agricultural products are to be sold, labelled, displayed or advertised as organic, the importer shall apply for the imported organic agricultural product review by completing an application form. The importer must apply to the central competent authority to issue the approval document, pay the review fee and attach photocopies of the following documents (stamped with seals of the importer):

- 1. Natural person's identity document, or establishment registration document of business or legal entity or business registration document
- 2. A document demonstrating that the agricultural products have been certified as organic
- 3. A document demonstrating that the foreign certification body that issues the aforementioned document is accredited by a country or WTO member promulgated by the central competent authority as organic equivalent with the ROC, except those foreign certification bodies that are registered with the central competent authority
- 4. The declaration with its import and export permit blank filled with the pre-generated number of the approval document, or the slip of import declaration
- 5. A certificate of quarantine inspection or a document of quarantine compliance issued by the animal or plant quarantine authority, except for those items that are exempted from the quarantine requirement
- 6. The ingredient ratio table of processed product, except for those certificates that extend the ratio content of organic ingredients
- 7. Other documents required by the central competent authority.

Where the documents are not in Chinese, a Chinese translation stamped with seals of the importer shall be provided. The central competent authority issues an approval document to the applicant when the applicant passes the imported organic agricultural product review. The approval document should state the following:

- 1. The name and address of the importer
- 2. The name of the foreign operator

- 3. The name, batch number and package specification of the products
- 4. The weight or volume of the products
- 5. The name of the certification body, and
- 6. The number of the approval document.

Application fees apply. Penalties apply for non-compliance with these regulations.

#### Labelling

Organic Agricultural Product and Organic Agricultural Processed Product Certification Management Regulations specify that the container or packaging of organic agricultural products and organic agricultural processed products shall include the following statements at the time of sale:

- 1. Product name
- 2. Names of ingredients
- 3. Name, address and telephone number of the agricultural product operator
- 4. Place (country) of origin, except when the address of the production factory or certification site is labelled in a way that the place (country) of origin of the product can be identified
- 5. Name of the certification body
- 6. The certificate number of the organic agricultural product certification, and
- 7. Other items that are required to be labelled in accordance with other labelling regulations or as announced by the central competent authority.

The product name shall contain the word "organic." The names of ingredients are not required when they are identical to the product name. The labelling of country of origin shall be determined and labelled in accordance with the following requirements:

- 1. The place (country) of origin shall be that of the ingredient accounting for no less than 95% of the product content or of the three ingredients with the highest percentages.
- 2. The labelling shall be marked in a visible place of the packaging or containers.

The labelling of the name of the certification body shall be marked in a visible place of the packaging or container. Where the certification body mark is labelled, labelling of the name of the certification body is not required.

# Vietnam

The Ministry of Science and Technology administers the TCVN 11041-1:2017 National Standards on Organic Agriculture which standardised the production, cultivation, processing and labelling of organic products. This standard is supported by Decree 109/2018 on Organic Agriculture which regulates the production, certification, labelling, logo, traceability and inspection of organic products and Circular 16/2019/TT-BNNPTNT detailing Decree 109/2018/ND-CP on Organic Agriculture.

For imported products, Vietnam recognises organic certifications from Australia. Wine Australia understands that Vietnam has the same import requirements for both organic and conventional products. Further advice on the application of the Vietnamese standards to Australian products should be obtained from your importer.

# Contacts

#### Wine Australia

Industry House – National Wine Centre Cnr Hackney & Botanic Roads, Adelaide SA 5000

Adeldide SA 5000

E: enquiries@wineaustralia.com

T: 08 8228 2000

## Department of Agriculture, Fisheries and Forestry

GPO Box 858

Canberra City ACT 2601

T: 1800 900 090

W: www.agriculture.gov.au

## NASSA Organic (NCO)

Unit 7/3, Mount Barker Road Stirling SA 5152

T: 08 7231 7700

E: info@ncocertifiedorganic.com.au

W: www.ncocertifiedorganic.com.au

## Australian Certified Organic (ACO)

18 Eton St

Nundah QLD4012

T: 07 3350 5706

W: aco.net.au

## **About Wine Australia**

Wine Australia supports a competitive wine sector by investing in research and innovation (R&I), growing domestic and international markets and protecting the reputation of Australian wine.

Wine Australia is an Australian Commonwealth Government statutory authority, established under the Wine Australia Act 2013, and funded by grape growers and winemakers through levies and user-pays charges and the Australian Government, which provides matching funding for R&I investments.