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Raspunsul Autoritatilor Competente din Romania la recomandarile Raportului ref. DG(SANCO)/2013-6871-MR al auditului desfasurat in perioada 08-19 aprilie 2013 pentru evaluarea sistemelor de control privind productia ecologica si etichetarea produselor ecologice

N°	Recomandare	Actiune propusa de Autoritatea Competenta
1	<p>Sa asigure ca intreg personalul Autoritatilor Competente care efectueaza controale oficiale primeste, pentru aria de competente a fiecaruia, instruire corespunzatoare care sa le permita sa isi indeplineasca sarcinile in mod competent si sa desfasoare controale oficiale (inclusiv controale privind etichetarea si piata) intr-o maniera consecventa in conformitate cu cerintele Articolului 6(a) al R (CE) nr 882/2004.</p>	<p>MADR – Directia Inspectii de Stat a continuat si in anul 2013 programul de instruire.</p> <p>In perioada 08-12.07.2013 a avut loc o sesiune de instruire a inspectorilor DAJ, in cadrul careia s-a pus accent pe punctele slabe identificate in cadrul auditului CE.</p> <p>In cadrul instruirii au fost prezentate atributiile si responsabilitatile care revin consilierilor din cadrul DAJ, conform prevederilor Ordinului MADR nr. 181/2012 <i>pentru aprobarea regulilor privind organizarea sistemului de inspectie si certificare in agricultura ecologica</i> si HG nr. 131/2013 <i>pentru stabilirea masurilor si sanctiunilor necesare in vederea respectarii prevederilor Regulamentului (CE) nr. 834/2007 al Consiliului din 28 iunie 2007 privind productia ecologica si etichetarea produselor ecologice, precum si de abrogare a Regulamentului (CEE) nr. 2092/91, punandu-se accent pe:</i></p> <ul style="list-style-type: none"> - modul de efectuare a verificarilor in teren de catre consilierii cu atributii de inspectii in domeniul agriculturii ecologice din cadrul directiilor pentru agricultura judetene; - controalele de supraveghere a activității OIC efectuate de către consilierii cu atributii de inspectii in domeniul agriculturii ecologice din cadrul DAJ;

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		<ul style="list-style-type: none"> - respectarea prevederilor legislative privind prezenta culturilor paralele, in sensul ca pana la sfarsitul lunii noiembrie 2013 se va modifica si completa Ordinul nr.181/2012, interzicandu-se cultivarea aceleasi specii la culturile anuale, in sistem conventional si in sistem ecologic. <p>Pentru imbunatatirea activitatii in sistemul de agricultura ecologica au fost stabilite urmatoarele masuri, care se vor aplica incepand cu anul 2014:</p> <ul style="list-style-type: none"> - evaluarea anuala a consilierilor cu atributii de inspectii tehnice in domeniul agricultura ecologica, de catre conducerea DAJ; - evaluarea consilierilor cu atributii de inspectii tehnice in domeniul agricultura ecologica de catre AC, cu ocazia instruirilor anuale; - obligativitatea notificarii AC din cadrul MADR, de către consilierii cu atributii de inspectii tehnice in domeniul agricultura ecologica, a tuturor deficientelor constatate in activitatea OIC, prin rapoartele lunare transmise de acestia; - efectuarea de verificari de catre consilierii DAJ indeosebi la operatorii care exploateaza suprafete mari sau comercializeaza cantitati importante de

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		<p>produse, chiar daca acestia nu sunt cuprinsi in esantionul transmis de MADR;</p> <ul style="list-style-type: none"> - informarea autoritatii competente, de catre consilierii cu atributii de inspectii tehnice in domeniul agricultura ecologica, asupra tuturor suspiciunilor de neconformitate, depistate la operatorii economici, in vederea notificarii OIC pentru prelevarea de probe de catre inspectorii OIC, in prezenta consilierilor DAJ. - instruirea personalului cu atributii de inspectii in domeniul agriculturii ecologice, care sa efectueze eficient controale pe piata la operatorii din sectorul agricultura ecologica, cu sanctionarea: <ul style="list-style-type: none"> - folosirii frauduloase a termenilor de "ecologic", "biologic", "organic", ca mărci comerciale sau practici de utilizare în producția, procesarea, ambalarea, transportul, depozitarea și distribuția produselor, inclusiv pe eticheta produsului, materiale publicitare și documentele comerciale, care pot induce în eroare consumatorul și care nu sunt obținute în conformitate cu regulile de producție ecologică; - nerespectarii de către operatori a regulilor privind producția, procesarea, ambalarea, transportul, depozitarea, distribuția și importul din țări terțe al

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		<p>produselor ecologice;</p> <ul style="list-style-type: none"> - lipsei documentelor operatorului, respectiv a înregistrărilor obligatorii prin care se poate identifica trasabilitatea produsului în toate etapele de producție, procesare și distribuție, <p>In programul de instruiți din anul 2014 va fi cuprinsa si intruirea personalul din cadrul AC (MADR), prin participarea la cursurile de instruire organizate de CE, precum si la schimburi de experienta organizate de AC ale altor state membre.</p>
2	<p>Sa asigure ca toate organismele de inspectie si certificare (OIC) aprobate sunt acreditate conform Standardului european EN 45011 sau Ghidului ISO 65 de catre un organism de acreditare al Statului Membru in care sunt stabiliti, sau de catre alta entitate de acreditare stabilita in UE, conform prevederilor Articolului 7(1) al R (CE) nr 765/2008.</p>	<p>La data prezentei, toate OIC care desfasoara activitati de inspectie si certificare pe teritoriul Romaniei sunt acreditate conform Standardului European EN 45011 sau Ghidului ISO 65, de catre un organism de acreditare al Statului Membru in care sunt stabilite sau de catre alta entitate de acreditare stabilita in UE, conform prevederilor Articolului 7 (1) al R (CE) nr 765/2008.</p> <p>OIC-ul care la data efectuării auditului DG(SANCO)/2013-6871, era inca acreditat IOAS, la ora actuala este acreditat de catre Organismul de Acreditare National din Romania – RENAR.</p>

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3	Sa asigure ca OIC aprobate au personal instruit corespunzator pentru a indeplini competent sarcinile, conform Articolului 27(5)(b)(ii) al Regulamentului Consiliului (CE) nr 834/2007.	<p>Odata cu depunerea documentatiei pentru abrobarea OIC de catre AC, pentru a desfasura activitate de inspectie si certificare pe teritoriul Romaniei, MADR verifica respectarea conditiilor prevazute in <i>Ordinul nr. 181/2012</i>, art. 2, alin. (1), lit. e-h si alin. (2), respectiv:</p> <p>e)sa dispuna de un numar suficient de personal pentru efectuarea inspectiei, care sa indeplineasca urmatoarele conditii:</p> <p>(i)sa aiba calificarea, instruirea si experienta necesare si cunostintele corespunzatoare referitoare la cerintele inspectiilor pe care le va efectua, pentru fiecare grupa corespunzatoare de activitate;</p> <p>(ii)sa fie instruit corespunzator cu cerintele R(CE) nr. 834/2007, ale Regulamentului (CE) nr. 889/2008 al Comisiei din 5 septembrie 2008 de stabilire a normelor de aplicare a Regulamentului (CE) nr. 834/2007 al Consiliului privind productia ecologica si etichetarea produselor ecologice in ceea ce priveste productia ecologica, etichetarea si controlul, denumit in continuare R(CE) nr. 889/2008, si ale legislatiei nationale de aplicare;</p> <p>f)personalul pentru efectuarea inspectiilor se angajeaza prin incheierea unui contract individual de munca pe perioada determinata/nedeterminata, conform Legii nr. 53/2003 -</p>

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		<p>Codul muncii, republicata, cu modificarile si completarile ulterioare, sau prin incheierea unui contract de prestari de servicii, conform Legii nr. 287/2009 - Codul civil, republicata, cu modificarile ulterioare;</p> <p>g)in cazuri justificate, efectuarea inspectiilor se poate face cu personalul din cadrul organismului care detine acreditarea, al carui sediu central se afla pe teritoriul unui alt stat membru al Uniunii Europene, cu notificarea prealabila a Ministerului Agriculturii si Dezvoltarii Rurale;</p> <p>h)sa nominalizeze o persoana responsabila de ansamblul activitatilor de inspectie si certificare, angajata cu contract individual de munca.</p> <p>(2)Persoana responsabila de ansamblul activitatilor de inspectie si certificare trebuie sa indeplineasca cumulativ urmatoarele conditii:</p> <p>a)sa aiba pregatire corespunzatoare, respectiv studii superioare/postuniversitare de specialitate in domeniile: agricultura, horticultura, zootehnie, medicina veterinara, ecologie sau industrie alimentara si experienta specifica in domeniul agriculturii ori agriculturii ecologice de minimum un an;</p> <p>b)sa aiba un nivel ridicat de cunostinte teoretice si practice privind modul de productie ecologica, in conformitate cu legislatia nationala si comunitara din domeniu; sa fie angajata</p>

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		<p>cu contract individual de munca pe perioada nedeterminata. Aprobarea OIC este conditionata de respectarea acestor conditii.</p> <p>In plus, se vor efectua evaluari anuale ale inspectorilor OIC aprobate (prin teste grila), ce vor fi efectuate de catre AC.</p> <p>Evaluarea se va efectua si prin asistarea, prin sondaj, de catre AC, la efectuarea inspectiilor la operatori, de catre inspectorii OIC.</p>
4	<p>Sa asigure ca se mentine o comunicare eficienta si imediata intre OIC si Autoritatea Competenta Centrala in ceea ce priveste incalcarile care afecteaza statusul ecologic al produsului/producatorilor, conform art. 27(5)(d) si Art. 30(2) al R (CE) nr 834/2007.</p>	<p>OM 181/2012, art. 6 lit. (r) prevede obligatiile OIC privind schimbul de informatii, la cerere sau din proprie initiativa cu celelalte OIC din Romania si alte state membre, cu privire la rezultatele controalelor, in conformitate cu art. 31 din R(CE) 834/2007 si mentinerea inregistrarilor referitoare la schimbul de informatii, ca suport pentru solutionarea unor reclamatii.</p> <p>Pentru o buna comunicare intre AC si OIC:</p> <ul style="list-style-type: none"> - MADR a intocmit rapoartele de evaluare pentru activitatea desfasurata de OIC in anul 2012, pe care le-a transmis si catre organismele de acreditare ale OIC; - MADR va completa pana la sfarsitul lunii noiembrie

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		2013 Ordinul 181/2012, in sensul obligativitatii informarii imediate de catre OIC a Autoritatii Competente, cu privire la orice neconformitate majora constatata la operatorii verificati, precum si masurile aplicate de OIC.
5	Sa asigure ca OIC desfasoara sarcinile delegate in mod adecvat si eficient, conform art. 27(8)(b) al R (CE) nr 834/2007 si ca, in particular, Autoritatile Competente Centrale iau imediat la cunostinta despre orice iregularitate sau incalcare care afecteaza statusul ecologic al unui produs, conform art. 30(1) al R (CE) nr 834/2007.	<p>In urma notificarilor primite de la Comisia Europeana in ultima perioada, AC a efectuat in anul 2013, pentru activitatea desfasurata in 2012, un audit suplimentar, in scopul unei mai bune monitorizari a activitatii OIC si stoparii si/sau minimalizarii eventualelor neconformitati.</p> <p>De asemenea OIC au notificat MADR cu privire la operatorii la care au fost constatate neconformitati in timpul verificarilor, in sensul interzicerii comercializarii produselor care nu respecta prevederile legislative in vigoare.</p> <p>MADR a elaborat Tematici suplimentare de control, în baza cărora consilierii cu atribuții de control din cadrul DAJ/MADR au efectuat verificări la operatorii economici din sector unde au fost depistate neconformități privind producția ecologică și comercializarea produselor ecologice</p>

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		Astfel OIC, impreuna cu AC (MADR/DAJ) verifica neconformitatile majore, trasabilitatea pe lant, modul de etichetare a loturilor afectate de neconformitati.
6	Sa asigure ca OIC efectueaza controale la operatori la momentul cel mai oportun si ca exista masuri pentru a verifica informatiile relevante conform nevoilor, asa cum este prevazut de art. 4(2)(a) al R (CE) nr 882/2004.	MADR are in vedere modificarea OM 219/2007, pana la sfarsitul lunii noiembrie 2013, astfel incat data de inscriere la DAJ sa fie cel tarziu 16 mai a fiecarui an, pentru ca OIC si inspectorii DAJ sa poata efectua cel putin inspectia obligatorie in timpul perioadei de vegetatie si pentru a putea fi luate masurile ce se impun in termen optim.
7	Sa asigure ca vizitele de inspectie aditionale desfasurate de OIC sunt in principal neanuntate, conform art. 65(4) al R (CE) nr 889/2008.	MADR va modifica legislatia nationala conform prevederilor Regulamentului (UE) 392/2013. Conform prevederilor legislative in vigoare, respectiv OM 181/2012, OIC au obligatia de a efectua la 10% din operatorii cu care au incheiate contracte de prestari servicii, inspectii suplimentare prin sondaj, anuntate sau neanuntate, cu mentiunea ca la modificarea OM 181/2012, se va stabili ca cel putin 10% dintre toate inspectiile si vizitele efectuate sa fie neanuntate. Termen de modificare a OM 181/2012 - sfarsitul lunii noiembrie 2013.

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8	Sa se asigure ca sunt respectate cerintele privind productia paralela de culturi ecologice si conventionale in cadrul aceleiasi unitati de productie, conform art. 11 al R (CE) 834/2007.	<p>MADR va modifica si completa Ordinul 181/2012, astfel:</p> <ul style="list-style-type: none"> - interzicerea cultivarii aceleiasi specii, in cazul culturilor anuale, in sistemul conventional si in sistemul ecologic; - obligativitatea prelevarii de probe in vederea efectuarii de analize pentru toate loturile de produse ecologice pentru care se elibereaza certificatul de tranzactie. <p>Termen de modificare a OM 181/2012- sfarsitul lunii noiembrie 2013.</p>
9	Sa asigure ca documentele justificative sunt oferite de OIC oricarui operator care face subiectul sistemului de control, conform art. 29(1) al R (CE) nr 834/2007, utilizand modelul prevazut in Anexa XII a R (CE) nr 889/2008, asa cum este prevazut de art. 92a al aceluasi Regulament.	<p>Documentele justificative eliberate de OIC pentru operatorii care fac obiectul sistemului de control sunt intocmite conform procedurilor proprii ale OIC, conform art. 29(1) al R (CE) nr 834/2007, utilizand modelul prevazut in Anexa XII a R (CE) nr 889/2008.</p> <p>Aceste documente justificative sunt emise tuturor operatorilor care au facut obiectul sistemului de control. MADR a postat pe site-ul propriu documentele justificative atat pentru operatorii care sunt certificati ecologic (care pot vinde produsele certificate), cat si pentru cei aflati in perioada de conversie.</p>

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10	Sa asigure ca informatiile actualizate pentru toti operatorii ecologici care fac subiectul controlului sunt puse la dispozitia publicului, conform art. 92a al R (CE) nr 889/2008.	<p>Autoritatea Competenta publica anual pe site-ul propriu, informatiile actualizate pentru toti operatorii ecologici care fac obiectul controlului, conform art. 92a al R (CE) nr 889/2008.</p> <p>Informatiile privind operatorii certificati la ora actuala pentru sunt disponibile la adresa www.madr.ro</p>
11	Sa asigure ca doar laboratoarele desemnate de Autoritatile Competente sunt utilizate de Autoritatile Competente si de OIC la efectuarea analizelor probelor luate in timpul controalelor oficiale, conform art. 12(1) al R (CE) nr 882/2004.	<p>Odata cu depunerea documentatiei pentru aprobarea OIC, pentru a desfasura activitate de inspectie si certificare pe teritoriul Romaniei, AC verifica respectarea conditiilor prevazute in <i>Ordinul nr. 181/2012</i>, art. 3, alin. (2), respectiv:</p> <p><i>„Organismul candidat poate subcontracta incercari cu laboratoare acreditate, conform SR EN ISO/CEI 17025 "Cerinte generale pentru competenta laboratoarelor de incercari si etalonari"; in acest sens se vor prezenta documente care sa ateste colaborarea cu astfel de laboratoare”.</i></p> <p>Astfel, AC solicita OIC-ului candidat la aprobare documente care atesta colaborarea organismului de inspectie si certificare cu laboratoare acreditate, conform SR EN ISO/CEI 17025 "Cerinte generale pentru competenta laboratoarelor de incercari si etalonari".</p>

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		AC analizeaza posibilitatea de a utiliza laboratoarele desemnate pentru controalele oficiale, conform R (CE) 882/2004 si va discuta despre posibilitatea folosirii pe viitor a acelorasi laboratoare si de catre OIC.
12	Sa infiinteze o baza de date pentru seminte computerizata conform cerintelor art. 48 al R (CE) nr 889/2008.	<p>La ora actual, AC este in faza de analiza si proiectare a Sistemului Informatic pentru Agricultura Ecologica (SII-AE), in care este inclus si Modulul pentru gestionarea bazei de date a semintelor ecologice.</p> <p>Intrucat acest sistem va fi pus in functiune la sfarsitul lunii decembrie 2013, pana la gestionarea bazei de date electronice, AC a pus la dispozitia celor interesati, pe site-ul propriu, respectiv www.madr.ro, o situatie a furnizorilor de seminte ecologice, material de inmultire vegetativa si cartofi pentru samanta obtinuti prin metode de productie ecologica, inclusiv cantitatile disponibile.</p>

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Reply of the Competent Authorities in Romania to the recommendations of Report DG(SANCO)/2013-6871-MR of the audit of 8-19 April 2013 to evaluate the control systems for organic production and labelling of organic products

		Action proposed by the Competent Authority
1	<p>Sa asigure ca intreg personalul Autoritatilor Competente care efectueaza controale oficiale primeste, pentru aria de competente a fiecaruia, instruire corespunzatoare care sa le permita sa isi indeplineasca sarcinile in mod competent si sa desfasoare controale oficiale (inclusiv controale privind etichetarea si piata) intr-o maniera consecventa in conformitate cu cerintele Articolului 6(a) al R (CE) nr 882/2004.</p>	<p>The Directorate for State Inspections of the Ministry of Agriculture and Rural Development has continued its training programme in 2013.</p> <p>A training session for inspectors from the county agricultural directorates (DAJs) was held from 8 to 12 July 2013 in which the focus was on the weak points identified during the Commission audit.</p> <p>During the training, a presentation was made of the duties and responsibilities of DAJ advisers as laid down in <i>Order No 181/2012 of the Minister for Agriculture and Rural Development approving rules on the organisation of the inspection and certification system for organic farming and Government Decision No 131/2013 laying down the measures and penalties necessary to ensure compliance with Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91</i>, with the focus on:</p> <ul style="list-style-type: none"> - the method of performance of on-the-spot checks by DAJ advisers with inspection responsibilities in the field of organic farming; - supervisory control on the activity of inspection and certification bodies by DAJ advisers with inspection responsibilities in the field of organic farming; - compliance with the legislative provisions on the

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		Action proposed by the Competent Authority
		<p>presence of parallel crops through the amendment by the end of November 2013 of Order No 181/2012, prohibiting in the case of annual crops the cultivation of the same species in a conventional and organic system.</p> <p>The following measures have been established to improve organic farming. The measures will apply starting from 2014:</p> <ul style="list-style-type: none"> - The leadership of the DAJs will perform annual assessments of advisers with technical inspection responsibilities in the field of organic farming; - DAJ advisers with technical inspection responsibilities in the field of organic farming will be assessed by the Competent Authority during the annual training sessions - DAJ inspectors with technical inspection responsibilities in the field of organic farming will be required to inform the Competent Authority of the Ministry of Agriculture and Rural Development of any shortcomings identified in the activity of the inspection and certification bodies. The shortcomings will be detailed in monthly reports; - DAJ inspectors will perform checks, with particular emphasis on operators farming large areas or

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		<p>marketing large quantities of products, even if the operators are not included in the sample sent by the Ministry;</p> <ul style="list-style-type: none"> - DAJ advisers with technical inspection responsibilities in the field of organic farming will inform the Competent authority of any suspicions of irregularities detected at economic operators, so that the inspection and certification bodies can be notified and evidence collected by the inspection and certification body inspectors, in the presence of the DAJ advisers. - staff with inspection responsibilities in the field of organic farming will be trained to carry out effective market checks of organic farming operators and penalise the following: <ul style="list-style-type: none"> -the fraudulent use of the terms 'ecologic', 'biologic', 'organic' as trademarks or in the production, processing, packaging, transport, storage and distribution of products, including on the product label, on advertising material and commercial documents that may mislead consumers and which are not obtained in accordance with the rules on organic production; - non-compliance by operators with the rules on the production, processing, packaging, transport,

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		Action proposed by the Competent Authority
		<p>storage, distribution and import from third countries of organic products; - the operator not being in possession of the documents or mandatory records enabling product traceability at all stages of production, processing and distribution;</p> <p>The 2014 annual training programme will include training of staff at the Competent Authority (the Ministry of Agriculture and Rural Development), through participation in training courses organised by the European Commission and in exchanges of experience organised by the competent authorities of other Member States.</p>
2.	<p>Sa asigure ca toate organismele de inspectie si certificare (OIC) aprobate sunt acreditate conform Standardului european EN 45011 sau Ghidului ISO 65 de catre un organism de acreditare al Statului Membru in care sunt stabiliti, sau de catre alta entitate de acreditare stabilita in UE, conform prevederilor Articolului 7(1) al R (CE) nr 765/2008.</p>	<p>At present all inspection and certification bodies carrying out inspection and certification on Romanian territory are accredited in accordance with the European Standard EN 45011 or ISO Guide 65 by an accreditation body of the Member State in which they are established or by another accreditation entity established in the European Union, as required by Article 7(1) of Regulation (EC) No 765/2008.</p> <p>The inspection and certification body on the date of audit DG(SANCO)/2013-6871 was still accredited by IOAS. At present, the inspection and certification body is accredited by</p>

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		Action proposed by the Competent Authority
		RENAR, Romania's national accreditation body.
3.	<p>Sa asigure ca OIC aprobate au personal instruit corespunzator pentru a indeplini competent sarcinile, conform Articolului 27(5)(b)(ii) al Regulamentului Consiliului (CE) nr 834/2007.</p>	<p>When the documentation is submitted so that the Competent Authority can approve inspection and certification bodies to carry out inspection and certification on Romanian territory, the Ministry checks compliance with the conditions laid down in <i>Order No 181/2012</i> Article 2(1)(e)-(h) and 2(2), as follows:</p> <p>e) to have enough staff to carry out inspections, with said staff meeting the following conditions:</p> <p>(i) to have the necessary qualifications, training and experience and corresponding knowledge concerning the requirements of the inspections they are to carry out, for each activity group;</p> <p>(ii) to be trained in the requirements of Regulation (EC) No 834/2007, of Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control, hereinafter referred to as R (EC) No 889/2008, and of the national implementing legislation;</p> <p>f) the staff carrying out the inspections shall be employed on the basis of an individual employment contract of</p>

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		<p>determined/indefinite length, in accordance with Law No 53/2003 - the Labour Code, republished with amendments, or on the basis of a service contract, in accordance with Law No 287/2009 - the Civil Code, republished with amendments;</p> <p>g) in justified cases, inspections may be carried out by staff from an accredited body whose headquarters are located on the territory of another EU Member State, with the prior notification of the Ministry of Agriculture and Rural Development;</p> <p>h) to appoint a person responsible for the entirety of the inspection and certification activities, employed on the basis of an individual employment contract.</p> <p>2) The person responsible for the entirety of the inspection and certification activities must meet all of the following conditions:</p> <p>a) to have the appropriate training in the form of specialised tertiary education/postgraduate studies in the one of following fields: agriculture, horticulture, animal husbandry, veterinary medicine, ecology or the food industry, and specific experience in the field of agriculture or organic farming of at least one year;</p> <p>b) to have a high level of technical and practical knowledge of organic farming methods, in accordance with the relevant national and Community law; to be employed on the basis of an individual employment contract for an indefinite period.</p>

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		Action proposed by the Competent Authority
		<p>Approval of the inspection and certification body is conditional on compliance with these conditions.</p> <p>In addition, the inspectors of approved inspection and certification bodies shall undergo annual assessments in the form of multiple choice tests set by the Competent Authority.</p> <p>The assessment will also involve the Competent Authority attending a sample of inspections carried out by inspection and certification body inspectors.</p>
4.	<p>Sa asigure ca se mentine o comunicare eficienta si imediata intre OIC si Autoritatea Competenta Centrala in ceea ce priveste incalcarile care afecteaza statusul ecologic al produsului/producatorilor, conform art. 27(5)(d) si Art. 30(2) al R (CE) nr 834/2007.</p>	<p>Article 6(r) of Ministerial Order No 181/2012 lays down the inspection and certification body's obligations with regard to the exchange of information, on request or on its own initiative, with other inspection and certification bodies in Romania and other Member States with regard to the results of checks, in accordance with Article 31 of R (EC) No 834/2007, and to the keeping of records on information exchanges to serve in the solving of complaints.</p> <p>In order to ensure better communication between the Competent Authority and the inspection and certification body:</p> <ul style="list-style-type: none"> - the Ministry of Agriculture and Rural Development has drawn up assessment reports for the activity of the

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		<p>inspection and certification bodies in 2012, which it has also sent to the inspection and certification bodies' accreditation bodies;</p> <ul style="list-style-type: none"> - by the end of November 2013, the Ministry shall amend Ministerial Order No 181/2012 by introducing a requirement for the inspection and certification body to inform the Competent Authority immediately of any major infringements detected at the operators inspected, and of the action taken by the inspection and certification body.
5.	<p>Sa asigure ca OIC desfasoara sarcinile delegate in mod adecvat si eficient, conform art. 27(8)(b) al R (CE) nr 834/2007 si ca, in particular, Autoritatile Competente Centrale iau imediat la cunostinta despre orice iregularitate sau incalcare care afecteaza statusul ecologic al unui produs, conform art. 30(1) al R (CE) nr 834/2007.</p>	<p>Following the notifications recently received from the European Commission, in 2013 the Competent Authority has carried out an additional audit relating to the activity carried out in 2012. The purpose of the additional audit was to ensure better monitoring of the inspection and certification bodies and to stop and/or limit any potential infringements.</p> <p>The inspection and certification bodies have also notified the Ministry of operators for whom infringements were detected during checks, in order to prohibit the sale of products not in compliance with the legislation in force.</p> <p>The Ministry has drawn up additional inspection themes, on</p>

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		<p>the basis of which DAJ/Ministry advisers with inspection responsibilities have carried out checks at economic operators in the sector where infringements have been detected with regard to organic production and the marketing of organic products.</p> <p>In this way, the inspection and certification bodies will, together with the Competent Authority (the Ministry/DAJs), check major infringements, chain traceability and the method of labelling batches affected by infringements.</p>
6.	Sa asigure ca OIC efectueaza controale la operatori la momentul cel mai oportun si ca exista masuri pentru a verifica informatiile relevante conform nevoilor, asa cum este prevazut de art. 4(2)(a) al R (CE) nr 882/2004.	The Ministry intends to amend Ministerial Order No 219/2007 by the end of November 2013 so that the date of registration with the DAJ is 16 May of each year at the latest, enabling the inspection and certification bodies and the DAJ inspectors to carry out at least the mandatory inspection during the vegetation period, and the necessary action to be taken in the optimum time period.
7.	Sa asigure ca vizitele de inspectie aditionale desfasurate de OIC sunt in principal neanuntate, conform art. 65(4) al R (CE) nr 889/2008.	<p>The Ministry will amend the national legislation in accordance with Regulation (EU) No 392/2013.</p> <p>Under the legislation in force, i.e. Ministerial Order No 181/2012, inspection and certification bodies are required to carry out additional announced or unannounced inspections</p>

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		<p>on the basis of a sample covering 10% of operators with whom they have concluded service contracts. The amended Ministerial Order No 181/2012 will specify that at least 10% of all inspections and visits should be unannounced.</p> <p>The deadline for amending Ministerial Order No 181/2012 is the end of November 2013.</p>
8.	Sa se asigure ca sunt respectate cerintele privind productia paralela de culturi ecologice si conventionale in cadrul aceleiasi unitati de productie, conform art. 11 al R (CE) 834/2007.	<p>The Ministry will amend Order No 181/2012 as follows:</p> <ul style="list-style-type: none"> - prohibition, in the case of annual crops, of the cultivation of the same species in a conventional and organic system; - the requirement to collect evidence so that analyses can be carried out for all batches of organic products for which the certificate of transaction is issued. <p>The deadline for amending Ministerial Order No 181/2012 is the end of November 2013.</p>
9.	Sa asigure ca documentele justificative sunt oferite de OIC oricarui operator care face subiectul sistemului de control, conform art. 29(1) al R (CE) nr 834/2007, utilizand modelul prevazut in Anexa XII a R (CE) nr 889/2008, asa cum este prevazut de art. 92a al aceluiasi Regulament.	<p>The documentary evidence issued by the inspection and certification bodies for operators subject to the control system is drawn up in accordance with the inspection and certification bodies' internal procedures, pursuant to Article 29(1) of R (EC) No 834/2007, using the model set out in Annex XII to R (EC) No 889/2008.</p>

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		Action proposed by the Competent Authority
		The documentary evidence is issued to all operators who are subject to the control system. The Ministry has posted on its website the documentary evidence for operators certified as organic operators (i.e. which can sell certified products) and for operators in the conversion period.
10.	Sa asigure ca informatiile actualizate pentru toti operatorii ecologici care fac subiectul controlului sunt puse la dispozitia publicului, conform art. 92a al R (CE) nr 889/2008.	<p>The Competent Authority publishes on its own website updated information for all organic operators subject to controls, in accordance with Article 92a of R (EC) No 889/2008.</p> <p>Information on operators currently certified is available at the Ministry website www.madr.ro</p>
11.	Sa asigure ca doar laboratoarele desemnate de Autoritatile Competente sunt utilizate de Autoritatile Competente si de OIC la efectuarea analizelor probelor luate in timpul controalelor oficiale, conform art. 12(1) al R (CE) nr 882/2004.	<p>When the documentation is submitted for the approval of the inspection and certification bodies to carry out inspection and certification on Romanian territory, the Competent Authority checks compliance with the conditions laid down in Article 3(2) of <i>Order No 181/2012</i>, as follows:</p> <p><i>"A candidate body may subcontract testing to laboratories accredited pursuant to SR EN ISO/CEI 17025 "General requirements for competence of testing and calibration laboratories"; in such cases, documents attesting to collaboration with such laboratories shall be presented."</i></p> <p>Therefore, the Competent Authority may request from a</p>

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		<p>candidate inspection and certification body documents attesting to the collaboration between the inspection and certification body and laboratories accredited pursuant to SR EN ISO/CEI 17025 "General requirements for competence of testing and calibration laboratories".</p> <p>The Competent Authority is examining the possibility of using laboratories designated for official controls, in accordance with R (EC) No 882/2004 and will discuss the possibility of the same laboratories being used by inspection and certification bodies in future.</p>
12.	<p>Sa infiinteze o baza de date pentru seminte computerizata conform cerintelor art. 48 al R (CE) nr 889/2008.</p>	<p>At present, the Competent Authority is in the analysis and design phase for the Organic Farming Computer System (SII-AE), which includes the Module for management of the organic seeds database.</p> <p>As the system will be put into operation at the end of December 2013, the Competent Authority has until that time made available on its own website, www.madr.ro, a breakdown of suppliers of organic seeds, plant propagating material and seed potatoes obtained by organic production methods, including the available quantities.</p>

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