



AQIS NOTICE

Issue Requirements for consignments of certified organic / bio-dynamic products totalling less than 10 kilograms or 10 litres		Date issued: 3 November 2011
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Distribution Category		Last Notice in the category
<input checked="" type="checkbox"/> Approved Certifying Organisations <input checked="" type="checkbox"/> Certified Operators		nil
Instruction issued under: Export Control (Organic Produce Certification) Orders		

PURPOSE

1. To advise of the requirements surrounding consignments of certified organic / bio-dynamic products where the total consignment weight is less than 10 kilograms or 10 litres.

BACKGROUND

2. The *Export Control Act 1982* (the Act), the *Export Control (Prescribed Goods – General) Orders 2005* (PGGOs), and the *Export Control (Organic Produce Certification) Orders* (Organic Orders) outline the legislative requirements for the export of organic and bio-dynamic products from Australia.
3. Section 1.05¹ of the Organic Orders prohibits the export of organic produce without the issue of an organic produce certificate (OPC).
4. Section 1.04² of the Organic Orders considers products described as organic, bio-dynamic, biological, ecological or similar as prescribed goods and hence applies specific sections of the PGGOs.

¹ **1.05 Prohibition of export of organic produce** - For subsection 7 (1) of the Act, the export of organic produce is prohibited unless an organic produce certificate has been issued under these Orders for the produce.

² **1.04 Application of these Orders** - (2) If produce for export is prescribed goods because the produce is described as 'organic', 'bio-dynamic', 'biological', 'ecological' or by any other word of similar indication the following provisions of the *Export Control (Prescribed Goods – General) Order 2005* apply to and in relation to the produce: (a) Parts 1, 2, 3, 13, 14, 17 and 18;

5. Part 2³ of the PGGOs gives provision for an exemption to the Orders for goods that are exported in a consignment of less than 10 kilograms or 10 litres.

ISSUES

6. Where export documentation is an importing country requirement, this requirement must be met despite the exemption on consignments totalling less than 10 kilograms or litres.
7. This exemption only applies to consignments / shipments whose **total** weight is less than 10 kilograms / litres. This does not apply on a per commodity or per item basis. For example
 1. If a consignment contained 2 x 1kg box spiral pasta, 4 x 250gm jars pasta sauce, 4 x 1kg yoghurt = 7kg total consignment weight. The exemption would apply to this consignment for export without the need for a health certificate for the dairy component or an OPC providing the importing country does not require them.
 2. If a consignment contained 2 x 1kg box spiral pasta, 4 x 250gm jars pasta sauce, 4 x 1kg yoghurt, 1 x 25kg bag rice = 32kg total consignment weight. This consignment would require the relevant export documentation for these products including a health certificate for the dairy component and an OPC for the consignment as the total weight is in excess of 10kilograms / litres.

INSTRUCTION

AQIS approved certifying organisations are to:

8. Ensure relevant staff are checking all items listed on OPCs. For those that require export documentation (e.g. meat, eggs, fish, dairy, horticulture and grain), ensure reference is in the related certification section (e.g. health, phytosanitary certificate) of the OPC
9. Advise operators certified for export against the National Standard of these requirements.

³ **2.01 Export Control Orders not to apply to certain exports** - 4) Neither this Order nor any other Export Control Order applies to prescribed goods to which any of the following paragraphs applies: (g) goods that are exported in a consignment of no more than:
(i) for liquid goods — 10 litres; or (ii) for goods of any other kind — 10 kilograms