



July 9, 2015

Johann N. Schneider-Ammann
Federal Councillor
Federal Department of Economic Affairs, Education and Research
Schwanengasse 2
3003 Bern

Dear Federal Councillor Schneider-Ammann:

The U.S. Department of Agriculture (USDA), in coordination with the U.S. Trade Representative (USTR), has reviewed the Swiss Ordinance on Organic Farming and the Labelling of Organically Produced Products and Foodstuffs of 22 September 1997 (910.18) and the Federal Department of Economic Affairs, Education and Research (EAER) Ordinance on Organic Farming of 22 September 1997 (910.181) and its regulations (hereinafter "Swiss organic ordinances"). Based on that review, USDA has determined pursuant to the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. §§ 6501 et seq.), under authority delegated to the Secretary of Agriculture by the President, that agricultural products produced and handled in accordance with the Swiss organic ordinances as in effect on July 9, 2015, are produced and handled under an organic certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of OFPA.

Accordingly, subject to the conditions set forth in Appendix 1 of this letter, from July 10, 2015, agricultural products produced and handled in conformity with the Swiss organic ordinances as in effect on July 9, 2015, are deemed by the USDA to have been produced and handled in accordance with the OFPA and USDA's organic regulations under the National Organic Program (NOP) (7 CFR part 205, hereinafter "USDA NOP regulations"). These products may be sold, labeled, or represented in the United States as organically produced, including by display of the USDA organic seal, under the conditions set forth in Appendix 1.

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

Sincerely,

Krysta Harden
Deputy Secretary of Agriculture,
U.S. Department of Agriculture

Darci Vetter
Chief Agricultural Negotiator,
Office of the U.S. Trade Representative

Appendix 1: Swiss Products

- A. A Swiss product may be sold, labeled, and represented as organic in the United States if it is:
1. Certified organic to the Swiss organic ordinances;
 2. Either grown in Switzerland, produced in Switzerland, or a product for which final processing or packaging has occurred in Switzerland;
 3. For any wine product, produced and labeled according to the USDA NOP regulations; and,
 4. For livestock products or livestock products used as ingredients in any product covered under this Paragraph, derived from animals not treated with antibiotics.
- B. A Swiss product covered under Paragraph A above and imported into the United States:
1. Must be labeled according to USDA NOP labeling requirements as described in the USDA NOP regulations;
 2. May display the USDA organic seal; and
 3. Must be accompanied by an NOP Import Certificate, Form NOP 2110-1, from a Swiss Accreditation Service (SAS)-accredited and FOAG-supervised certification body that attests to compliance with the terms of this Appendix.
- C. The FOAG will notify the USDA in a timely manner of any instances of the following:
1. Changes with respect to the accreditation status of any SAS-accredited certification bodies;
 2. Proposed and final regulations and guidelines in Switzerland that may affect this Appendix; and,
 3. Notifications of non-compliances that may affect the organic status of Swiss products covered under Paragraph A above.
- D. Following advance notice from the USDA, the FOAG will permit USDA officials to conduct on-site evaluations in Switzerland to verify that the relevant regulatory authorities and certification bodies of the Swiss organic ordinances are carrying out the requirements of those ordinances. The FOAG will cooperate and assist the USDA, to the extent permitted, in carrying out these on-site evaluations, which may include visits to offices of relevant regulatory authorities, certification body offices, production facilities, and farms that SAS-accredited certification bodies have certified in Switzerland. The USDA will submit to the FOAG a written report of any such on-site evaluation including any findings that may affect this Appendix. The FOAG will provide a written response

to findings identified by the USDA, including completed or planned corrective actions, in a timely fashion.

E. The FOAG will provide to the USDA the following documents each calendar year by 31 March:

1. A report that contains information regarding the types and quantities of Swiss products exported to the United States under this Appendix over the prior calendar year;
2. A list of certification bodies accredited by the SAS and supervised by the FOAG within the scope of the Swiss organic ordinances; and,
3. A list of organic operations certified according to the Swiss organic ordinances.

Appendix 2

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