

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

TITLE I

AIM, SCOPE AND DEFINITIONS

Article 1

Aim and scope

1 This Regulation provides the basis for the sustainable development of organic production while ensuring the effective functioning of the internal market, guaranteeing fair competition, ensuring consumer confidence and protecting consumer interests.

It establishes common objectives and principles to underpin the rules set out under this Regulation concerning:

- a all stages of production, preparation and distribution of organic products and their control;
- b the use of indications referring to organic production in labelling and advertising.

2 This Regulation shall apply to the following products originating from agriculture, including aquaculture, where such products are placed on the market or are intended to be placed on the market:

- a live or unprocessed agricultural products;
- b processed agricultural products for use as food;
- c feed;
- d vegetative propagating material and seeds for cultivation.

The products of hunting and fishing of wild animals shall not be considered as organic production.

This Regulation shall also apply to yeasts used as food or feed.

3 This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products set out in paragraph 2.

However, mass catering operations shall not be subject to this Regulation. [^{F1}The relevant authority may apply, in the absence of legislation,] private standards, on labelling and control of products originating from mass catering operations^{F2}....

4 This Regulation shall apply without prejudice to other ^{F3}... provisions, in conformity with [^{F4}retained EU law] concerning products specified in this Article, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs and animal nutrition.

Textual Amendments

- F1** Words in Art. 1(3) substituted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 834/2007, TITLE I. (See end of Document for details)

- F2** Words in Art. 1(3) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(4) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 1(4) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) ‘organic production’ means the use of the production method compliant with the rules established in this Regulation, at all stages of production, preparation and distribution;
- (b) ‘stages of production, preparation and distribution’ means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the final consumer, and where relevant labelling, advertising, import, export and subcontracting activities;
- (c) ‘organic’ means coming from or related to organic production;
- (d) ‘operator’ means the natural or legal persons responsible for ensuring that the requirements of this Regulation are met within the organic business under their control;
- (e) ‘plant production’ means production of agricultural crop products including harvesting of wild plant products for commercial purposes;
- (f) ‘livestock production’ means the production of domestic or domesticated terrestrial animals (including insects);
- (g) the definition of ‘aquaculture’ is that given in Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund⁽¹⁾;
- (h) ‘conversion’ means the transition from non organic to organic farming within a given period of time, during which the provisions concerning the organic production have been applied;
- (i) ‘preparation’ means the operations of preserving and/or processing of organic products, including slaughter and cutting for livestock products, and also packaging, labelling and/or alterations made to the labelling concerning the organic production method;
- (j) the definitions of ‘food’, ‘feed’ and ‘placing on the market’ are those given in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽²⁾;

- (k) ‘labelling’ means any terms, words, particulars, trade marks, brand name, pictorial matter or symbol relating to and placed on any packaging, document, notice, label, board, ring or collar accompanying or referring to a product;
- (l) the definition of ‘pre-packaged foodstuff’ is that given in [^{F5}Article 2(2)(e) of Regulation (EU) No 1169/2011];
- (m) ‘advertising’ means any representation to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of organic products;
- (n) ‘competent authority’ means the central authority ^{F6}... competent for the organisation of official controls in the field of organic production in accordance with the provisions set out under this Regulation, or any other authority on which that competence has been conferred to; it shall also include, where appropriate, the corresponding authority of a third country;
- (o) ‘control authority’ means a public administrative organisation ^{F7}... to which the competent authority has conferred, in whole or in part, its competence for the inspection and certification in the field of organic production in accordance with the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;
- (p) ‘control body’ means an independent private third party carrying out inspection and certification in the field of organic production in accordance with the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;
- (q) ‘mark of conformity’ means the assertion of conformity to a particular set of standards or other normative documents in the form of a mark;
- (r) the definition of ‘ingredients’ is that given in [^{F8}Article 2(2)(f) of Regulation (EU) No 1169/2011];
- (s) the definition of ‘plant protection products’ is that given in [^{F9}Regulation (EC) No 1107/2009];
- (t) the definition of ‘Genetically modified organism (GMO)’ is that given in Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC⁽³⁾ and which is not obtained through the techniques of genetic modifications listed in Annex I.B of that Directive;
- (u) ‘produced from GMOs’ means derived in whole or in part from GMOs but not containing or consisting of GMOs;
- (v) ‘produced by GMOs’ means derived by using a GMO as the last living organism in the production process, but not containing or consisting of GMOs nor produced from GMOs;
- (w) the definition of ‘feed additives’ is that given in Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽⁴⁾;

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- (x) ‘equivalent’, in describing different systems or measures, means that they are capable of meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity;
- (y) ‘processing aid’ means any substance not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or their ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the unintentional but technically unavoidable presence of residues of the substance or its derivatives in the final product, provided that these residues do not present any health risk and do not have any technological effect on the finished product;
- (z) the definition of ‘ionising radiation’ is that given in Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation⁽⁵⁾ and as restricted by Article 1(2) of Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation⁽⁶⁾;
- (aa) ‘mass catering operations’ means the preparation of organic products in restaurants, hospitals, canteens and other similar food business at the point of sale or delivery to the final consumer;
- (bb) ^[F10]‘third country’ means any country or territory other than:
 - (i) the United Kingdom,
 - (ii) the Bailiwick of Guernsey,
 - (iii) the Bailiwick of Jersey, or
 - (iv) the Isle of Man;
- (cc) ‘relevant authority’ means:
 - (i) in relation to England, the Secretary of State;
 - (ii) in relation to Wales, the Welsh Ministers;
 - (iii) in relation to Scotland, the Scottish Ministers];
- (dd) ^[F11]‘appropriate authority’ has the meaning given in Article 38a.]

Textual Amendments

- F5** Words in Art. 2(l) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 2(n) omitted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(3)(b)** (as substituted by S.I. 2020/1400, regs. 1(b), **3(2)(a)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F7** Words in Art. 2(o) omitted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(3)(c)** (as substituted by S.I. 2020/1400, regs. 1(b), **3(2)(a)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** Words in Art. 2(r) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(3)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 2(s) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(3)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F10** Art. 2(bb)(cc) inserted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **2(3)(f)** (as amended by S.I. 2020/1400, regs. 1(b), **3(2)(a)(iii)**); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 2(dd) inserted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **67**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 834/2007, TITLE I. (See end of Document for details)

- (1) OJ L 223, 15.8.2006, p. 1.
- (2) OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).
- (3) OJ L 106, 17.4.2001, p. 1. Regulation as last amended by Regulation (EC) No 1830/2003 (OJ L 268, 18.10.2003, p. 24).
- (4) OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).
- (5) OJ L 159, 29.6.1996, p. 1.
- (6) OJ L 66, 13.3.1999, p. 16. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

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