

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 VII

FINAL AND TRANSITIONAL RULES

^{F1}Article 34

Free movement of organic products

Textual Amendments

F1 Arts. 34-37 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(17)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F1}Article 35

Transmission of information to the Commission

Textual Amendments

F1 Arts. 34-37 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(17)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F1}Article 36

Statistical information

Textual Amendments

F1 Arts. 34-37 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(17)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F1}Article 37

Committee on organic production

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

Textual Amendments

F1 Arts. 34-37 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(17)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 38

Implementing rules

[^{F2}In relation to points (a) to (c) below, the appropriate authority may, by regulations, lay down detailed rules for the application of this Regulation.][^{F3}In relation to point (d) below, the Secretary of State may, by regulations, lay down detailed rules for the application of this Regulation. The regulations laid down by the appropriate authority or the Secretary of State are subject to the objectives and principles laid down in Title 2.] These shall include in particular the following:

- (a) detailed rules as regards the production rules laid down in Title III, in particular as regards the specific requirements and conditions to be respected by operators;
- (b) detailed rules as regards the labelling rules laid down in Title IV;
- (c) detailed rules as regards the control system established under Title V, in particular as regards minimum control requirements, supervision and audit, the specific criteria for delegation of tasks to private control bodies the criteria for approval and withdrawal of such bodies and the documentary evidence referred to in Article 29;
- (d) detailed rules as regards the rules on imports from third countries laid down in Title VI, in particular as regards the criteria and procedures to be followed with regard to the recognition under Article 32 and 33 of third countries and control bodies, including the publication of lists of recognised third countries and control bodies, and as regards the certificate referred to in Article 33(1) point (d) taking into account the advantages of electronic certification;
- (e) ^{F4}

Textual Amendments

- F2** Words in Art. 38 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **87**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 38 inserted (31.12.2020) by [The Organic Production \(Control of Imports\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/692\)](#), regs. 1(2), **2(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 38(e) 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(18)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F5}Article 38a

Regulations

1 This Article applies in relation to any power conferred by this Regulation on the appropriate authority to make provision by regulations.

2 The appropriate authority is—

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- a for regulations applying in relation to England, the Secretary of State;
 - b for regulations applying in relation to Wales, the Welsh Ministers;
 - c for regulations applying in relation to Scotland, the Scottish Ministers.
- 3 But the appropriate authority is the Secretary of State if consent is given by—
- a for regulations applying in relation to Wales, the Welsh Ministers;
 - b for regulations applying in relation to Scotland, the Scottish Ministers.

Textual Amendments

- F5** Arts. 38a, 38b inserted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **88** (as amended by S.I. 2020/1453, regs. 1(2)(b), **12(13)**), which amendment includes the omission of Art. 38b(3)(7)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Article 38b

Regulations procedure

- 1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
- 2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.
- 4 A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
- 5 A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- 6 Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
- 8 Such regulations may—
- a contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - b make different provision for different purposes.
- 9 Before making any regulations under this Regulation, an appropriate authority must consult—
- a such bodies or persons as appear to the appropriate authority to be representative of the interests likely to be substantially affected by the regulations;
 - b such other bodies or persons as the appropriate authority may consider appropriate.]

Textual Amendments

- F5** Arts. 38a, 38b inserted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **88** (as amended by S.I. 2020/1453, regs. 1(2)(b), **12(13)**), which amendment includes the omission of Art. 38b(3)(7)); 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 VII. (See end of Document for details)

^{F6}Article 39

Repeal of Regulation (EEC) No 2092/91

Textual Amendments

F6 Arts. 39-41 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(19)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6}Article 40

Transitional measures

Textual Amendments

F6 Arts. 39-41 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(19)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6}Article 41

Report to the Council

Textual Amendments

F6 Arts. 39-41 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(19)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 42

[^{F7}Miscellaneous application]

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For certain animal species, certain aquatic plants and certain micro algae, where the detailed production rules are not laid down, the rules provided for labelling in Article 23 and for the controls in Title V shall apply. ^{F9}...

^{F10}

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

Textual Amendments

- F7** Art. 42 heading substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **2(20)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 42 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(20)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 42 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(20)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 42 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(20)(d)**; 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 VII.