

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

TITLE IV

CONTROLS

CHAPTER 1

Minimum control requirements

Article 63

Control arrangements and undertaking by the operator

1 When the control arrangements are first implemented, the operator shall draw up and subsequently maintain:

- a a full description of the unit and/or premises and/or activity;
- b all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;
- c the precautionary measures to be taken in order to reduce the risk of contamination by unauthorised products or substances and the cleaning measures to be taken in storage places and throughout the operator's production chain.

Where appropriate, the description and measures provided for in the first subparagraph may be part of a quality system as set up by the operator.

2 The description and the measures referred to in paragraph 1 shall be contained in a declaration, signed by the responsible operator. In addition, this declaration shall include an undertaking by the operator:

- a to perform the operations in accordance with the organic production rules;
- b to accept, in the event of infringement or irregularities, the enforcement of the measures of the organic production rules;
- c to undertake to inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed from this production.

The declaration provided for in the first subparagraph shall be verified by the control body or control authority that issues a report identifying the possible deficiencies and non-compliances with the organic production rules. The operator shall countersign this report and take the necessary corrective measures.

3 For the application of Article 28(1) of Regulation (EC) No 834/2007 the operator shall notify the following information to the competent authority:

- a Name and address of operator;
- b Location of premises and, where appropriate, parcels (land register data) where operations are carried out;

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- c Nature of operations and products;
- d Undertaking by the operator to carry out the operation in accordance with the provision laid down in Regulation (EC) No 834/2007 and this Regulation;
- e In the case of an agricultural holding, the date on which the producer ceased to apply products not authorised for organic production on the parcels concerned;
- f The name of the approved body to which the operator entrusted control of his undertaking, where the Member State has implemented the control system by approving such bodies.