
STATUTORY INSTRUMENTS

2009 No. 842

The Organic Products Regulations 2009

PART 1

Introductory provisions

Citation and commencement

1. These Regulations may be cited as the Organic Products Regulations 2009; they come into force on 27th April 2009.

Interpretation

2.—(1) In these Regulations—

“authorised officer” means a person authorised in writing by a local authority, a port health authority or the Secretary of State for the purposes of these Regulations;

“Commission Regulation 889/2008” means [Commission Regulation \(EC\) No 889/2008](#) 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⁽¹⁾;

“Commission Regulation 1235/2008” means [Commission Regulation \(EC\) No 1235/2008](#) laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries⁽²⁾;

“control body” means a control body, within the meaning of Article 2(p) of the Council Regulation, to whom the Secretary of State has from time to time delegated control tasks⁽³⁾ in accordance with Article 27(4)(b) of the Council Regulation;

“controlled consignment” means any consignment the movement of which is, for the time being, prohibited under regulation 7;

“the Council Regulation” means Council Regulation (EC) No 834/2007 on organic production and labelling of organic products⁽⁴⁾;

“the database” means the computerised database, established under Article 48(1) of Commission Regulation 889/2008, listing varieties of seed and seed potatoes obtained by the organic production method (which term has the same meaning as in the Council Regulation) which are available in the United Kingdom;

“holding” has the meaning given in Article 2(e) of Commission Regulation 889/2008;

(1) OJ No L 250, 18.9.08, p 1; last amended by [Commission Regulation \(EC\) No 1254/2008](#) (OJ No L 337, 16.12.08, p 80).

(2) OJ No L 334, 12.12.08, p 25.

(3) The list of approved control bodies is available from the website of the Department for Environment, Food and Rural Affairs at <http://www.defra.gov.uk/farm/organic/standards/certbodies/approved.htm>.

(4) OJ No L 189, 20.7.07, p 1; last amended by Council Regulation (EC) No 967/2008 (OJ No L 264, 3.10.08, p 1).

“importer” means any person who imports from a third country any products referred to in Article 1 of the Council Regulation with a view to the subsequent placing on the market of such products, and cognate expressions are construed accordingly;

“local authority” means—

- (a) in relation to England, a county council, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- (b) in relation to Wales, a county council or a county borough council;
- (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽⁵⁾; and
- (d) in relation to Northern Ireland, a district council (within the meaning of section 44 of the Interpretation Act (Northern Ireland) 1954⁽⁶⁾);

“organic product” means a product referred to in Article 1(2) of the Council Regulation, as read with Article 1(2) of Commission Regulation 889/2008;

“organic production” has the same meaning as in Article 2(a) of the Council Regulation;

“place of import”, in relation to a consignment imported into the United Kingdom from a third country, means the place at which the consignment first arrives in the United Kingdom;

“port health authority” means—

- (a) in relation to the London port health district (within the meaning given by section 7(1) of the Public Health (Control of Disease) Act 1984⁽⁷⁾), the Common Council of the City of London; and
- (b) in relation to any port health district constituted by order under section 2(3) of that Act, the port health authority for that district constituted by order under section 2(4) of that Act;

“specified ^{F1}... provision” means those provisions specified in column 1 of the table in the Schedule, as read with any supplementary provisions specified in column 2 of that Schedule;

“the Soil Association” means the Soil Association Limited, a company limited by guarantee and registered charity No 206862 of South Plaza, Marlborough Street, Bristol BS1 3NX.

[^{F2}“third country” means any country or territory other than—

- (a) the United Kingdom,
- (b) the Bailiwick of Guernsey,
- (c) the Bailiwick of Jersey, or
- (d) the Isle of Man.]

(2) Other expressions used in these Regulations have the same meaning as in Commission Regulation 889/2008, Commission Regulation 1235/2008 or the Council Regulation.

(3) A reference in these Regulations to any [^{F3}EU] instrument, or any provision of [^{F4}an EU] instrument, is a reference to that instrument or that provision as amended from time to time.

Textual Amendments

- F1** Word in [reg. 2\(1\)](#) omitted (31.12.2020) by virtue of [The Organic Products \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/109\)](#), [regs. 1, 2\(2\)\(a\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

(5) 1994 c. 39.

(6) 1954 c. 33 (N.I.).

(7) 1984 c. 22.

- F2** Words in reg. 2(1) inserted (31.12.2020) by The Organic Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/109), regs. 1, **2(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in Regulations substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, **3-6**
- F4** Words in Regulations substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, **3-6**

Changes to legislation:

There are currently no known outstanding effects for the The Organic Products Regulations 2009, PART 1.