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STATUTORY INSTRUMENTS

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**2019 No. 693**

**The Organic Production and Control  
(Amendment) (EU Exit) Regulations 2019**

**Council Regulation (EC) No 834/2007 on organic production and labelling of organic products**

2.—(1) Council Regulation (EC) No 834/2007 on organic production and labelling of organic products is amended as follows.

(2) In Article 1—

(a) in the second subparagraph of paragraph 3—

- (i) for the words “Member States” to “thereof” substitute “ The relevant authority may apply, in the absence of legislation, ”;
- (ii) omit the words “,in so far” to the end;

(b) in paragraph 4—

- (i) omit “community provisions or national”;
- (ii) for “Community law” substitute “ retained EU law ”.

(3) In Article 2—

(a) in point (l), for the words from “Article” to the end substitute “ Article 2(2)(e) of Regulation (EU) No 1169/2011 ”;

[<sup>F1</sup>(b) in point (n), omit “of a Member State”];

[<sup>F2</sup>(c) in point (o), omit “of a Member State”];

(d) in point (r), for “Article 6(4) of Directive 2000/13/EC” substitute “ Article 2(2)(f) of Regulation (EU) No 1169/2011 ”;

(e) in point (s), for the words from “Council” to the end of the paragraph substitute “ Regulation (EC) No 1107/2009 ”;

(f) after point (aa) insert—

“(bb) ‘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;

<sup>F3</sup>(iv) . . . . .”

- (4) In Article 5—
- (a) in point (o) omit the words from “of fisheries as” to “Fisheries Policy”;
  - (b) after point (o) insert—
 

“In this paragraph, “sustainable exploitation” means the exploitation of a stock in such a way that does not prejudice the future exploitation of the stock and does not have a negative impact on marine eco-systems.”.
- (5) In Article 11, in the second subparagraph, omit the words from “in accordance” to “Article 37(2),”.
- (6) In Article 14(1)—
- (a) in subparagraph (b)(iii) for “Community legislation” substitute “retained EU law”;
  - (b) in subparagraph (e)(iv) for “Community legislation” substitute “retained EU law”.
- (7) In Article 15(1)(f)(iv), for “Community legislation” substitute “retained EU law”.
- (8) In Article 16—
- [<sup>F4</sup>(a) in paragraph 1, in the second subparagraph, for the words from “the Member States” to the end substitute “Great Britain”];
  - (b) in paragraph 4—
    - (i) for “Member States may regulate, within their territory,” substitute “Nothing in this Regulation prevents the relevant authority from using any power the authority has to regulate”;
    - (ii) omit the words from “, and in so far” to the end.
- (9) In Article 19(2)(c) omit “by a Member State”.
- (10) In Article 21—
- (a) in paragraph 1 (ii), for “the Community legislation” substitute “retained EU law”;
  - (b) omit the second and third subparagraphs of paragraph 2.
- (11) In Article 22(2)(h), for “Community law or national law” substitute “retained EU law”.
- (12) In Article 23—
- (a) in paragraph 1 omit the words from “throughout” to “language”;
  - (b) in paragraph 2 omit the words from “anywhere” to “language”;
  - (c) in paragraph 3, for “Community provisions” substitute “retained EU law”.
- (13) In Article 27—
- (a) in paragraph 1, for “Member States shall set up” substitute “The relevant authority must maintain”;
  - (b) in paragraph 4(b), for “Member States” substitute “relevant authority”;
  - (c) in paragraph 5(c)—
    - (i) for “notified” substitute “published”;
    - (ii) for the words from “, by” to “45011 or” substitute “of”;
    - (iii) for “authorities” substitute “authority”;
  - (d) in paragraph 7(b), for “Commission” substitute “appropriate authority”;
  - (e) in paragraph 10, for “Member States” substitute “The relevant authority”;
  - (f) in paragraph 13, for the words from “Member States” to “allows for” substitute “The control system as set up must ensure”.
- (14) In Article 28—

- (a) in paragraph 1(a), for the words from “authorities” to the end substitute “ authority ”;
  - (b) in paragraph 2, for “Member States may exempt” substitute “ Nothing in this Regulation prevents the relevant authority from using any power the authority has to exempt ”;
  - (c) in paragraph 3, for “Member States” substitute “ The relevant authority ”;
  - (d) in paragraph 4, for “Member States” substitute “ The relevant authority ”.
- (15) For Article 29(3) substitute—
- “(3) The form of documentary evidence referred to in paragraph 1 may be drawn up or amended by the relevant authority, taking into account the advantages of electronic certification.”.
- (16) In Article 30—
- (a) in paragraph 1, in the second subparagraph omit “of the Member State”;
  - (b) in paragraph 2, in the first subparagraph, for the words from “, competent authorities” to the end substitute “ and the competent authority ”.
- (17) Omit Articles 34 to 37.
- (18) Omit Article 38, point (e).
- (19) Omit Articles 39 to 41.
- (20) In Article 42—
- (a) for the heading substitute “ Miscellaneous application ”;
  - (b) omit the first subparagraph;
  - (c) in the second subparagraph omit the second sentence;
  - (d) omit the third and fourth subparagraphs.
- (21) After Article 42, omit the words from “This Regulation” to “Member States”.
- (22) In the Annex omit the listed terms other than “*EN*: organic”.

- F1** Reg. 2(3)(b) substituted (31.12.2020 immediately before IP completion day) by [The Organic Products \(Production and Control\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1400\)](#), regs. 1(b), **3(2)(a)(i)**
- F2** Reg. 2(3)(c) substituted (31.12.2020 immediately before IP completion day) by [The Organic Products \(Production and Control\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1400\)](#), regs. 1(b), **3(2)(a)(ii)**
- F3** Words in reg. 2(3)(f) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Organic Products \(Production and Control\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1400\)](#), regs. 1(b), **3(2)(a)(iii)**
- F4** Reg. 2(8)(a) substituted (31.12.2020 immediately before IP completion day) by [The Organic Products \(Production and Control\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1400\)](#), regs. 1(b), **3(2)(b)**

#### Commencement Information

- I1** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Organic Production and Control (Amendment) (EU Exit) Regulations 2019, Section 2.