STATUTORY INSTRUMENTS

2021 No. 94

AGRICULTURE

The Organic Control (Amendment) Regulations 2021

Made - - - -	*at 11.54 a.m. on 28th January 2021*
Laid before Parliament	*at 4.00 p.m. on 28th January 2021*
Coming into force - -	*1st February 2021*

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 28(6), 38, 38a and 38b(8) of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products(**1**).

The Scottish Ministers and the Welsh Ministers have consented to the Secretary of State making these regulations for the purposes of Article 38a(3) of that Regulation.

In accordance with Article 38b(9) of that Regulation, the Secretary of State has consulted such bodies or persons as appear to the Secretary of State to be representative of the interests likely to be substantially affected by these Regulations and such other bodies or persons as the Secretary of State considers appropriate.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Organic Control (Amendment) Regulations 2021 and come into force on 1st February 2021.

(2) These Regulations extend to Great Britain.

Commission Implementing Regulation (EU) 2020/977

2.—(1) Commission Implementing Regulation (EU) 2020/977 derogating from Regulations (EC) No 889/2008 and (EC) No 1235/2008 as regards controls on the production of organic products due to the COVID-19 pandemic is amended as follows.

(2) In Article 1—

(a) in paragraph 2 omit "in the Member States and in the Third Country concerned";

(b) omit paragraph 4;

(c) in paragraph 7—

(**1**) EUR 2007/834, amended by S.I. 2019/692, 693, 831. "Appropriate authority" has the meaning given in Article 38a.

(i) omit ", and planned until 1 February 2021";

(ii) omit "in the Member State concerned".

(3) Omit Article 2.

(4) In Article 3—

(a) in the second paragraph omit "until 1 February 2021";

(b) omit the third paragraph;

(c) in the fourth paragraph for "31 December 2020" substitute "31 December 2021";

(d) omit the fifth paragraph.

(5) After Article 3, omit the words from "This Regulation" to "Member States".

Victoria Prentis
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

At 11.54 a.m. on 28th January 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Commission Implementing Regulation (EU) 2020/977 derogating from Regulations (EC) No 889/2008 and (EC) No 1235/2008 as regards controls on the production of organic products due to the COVID-19 pandemic (EUR 2020/977).

That Regulation provides for temporary derogations from certain provisions of 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 (EUR 2008/889) and 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 (EUR 2008/1235) relating to official controls on organic products.

Regulation 2 provides for the derogations in respect of Regulation (EC) No 889/2008 to be extended and revokes the derogations in respect of Regulation (EC) No 1235/2008 which apply until 1st February 2021.

A full regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.