

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

[<sup>F1</sup>TITLE II

**RULES ON PRODUCTION, PRESERVATION, PROCESSING, PACKAGING, TRANSPORT AND STORAGE OF ORGANIC PRODUCTS]**

CHAPTER 7

**Seed data base**

*Article 48*

**Database**

1 [<sup>F1</sup>The relevant authority] shall ensure that a computerised database is established for the listing of the varieties for which seed or seed potatoes obtained by the organic production method are available [<sup>F2</sup>in Great Britain].

2 The database shall be managed either by the competent authority <sup>F3</sup>... or by an authority or body designated for this purpose by [<sup>F4</sup>the relevant authority], hereinafter referred to as 'manager of the database'. [<sup>F5</sup>The relevant authority] may also designate an authority or a private body in another country.

<sup>F6</sup>3 .....

**Textual Amendments**

- F1** Words in Art. 48(1) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 48(1) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(a)(ii)** (as amended by S.I. 2020/1400, regs. 1(b), **3(3)(g)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 48(2) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 48(2) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 48(2) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 48(3) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(26)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](http://legislation.gov.uk). (See end of Document for details)

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## Article 49

### Registration

1 Varieties for which seed or seed potatoes produced by the organic production method are available shall be registered in the database referred to in Article 48 at the request of the supplier.

2 Any variety which has not been registered in the database shall be considered as unavailable with regard to Article 45(5).

3 [<sup>F7</sup>The relevant authority] shall decide in which period of the year the database has to be regularly updated for each species or group of species cultivated on its territory. The database shall hold information with regard to that decision.

#### Textual Amendments

- F7** Words in Art. 49(3) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 50

### Conditions for registration

1 For registration, the supplier shall:

- a demonstrate that he or the last operator, in cases where the supplier is only dealing with pre-packaged seed or seed potatoes, has been subject to the control system referred to in Article 27 of Regulation (EC) No 834/2007;
- b demonstrate that the seed or seed potatoes to be placed on the market comply with the general requirements applicable to seed and seed potatoes;
- c make available all the information required under Article 51 of this Regulation, and undertake to update this information at the request of the manager of the database or whenever such updating is necessary to ensure that the information remains reliable.

2 The manager of the database may, with the approval by the competent authority <sup>F8</sup>..., refuse a supplier's application for registration or delete a previously accepted registration if the supplier does not comply with the requirements set out in paragraph 1.

#### Textual Amendments

- F8** Words in Art. 50(2) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(28)**; 2020 c. 1, Sch. 5 para. 1(1)

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## Article 51

### Registered information

1 For each registered variety and for each supplier, the database referred to in Article 48 shall contain at least the following information:

- a the scientific name of the species and the variety denomination;
- b the name and contact details of the supplier or his representative;
- c the area where the supplier can deliver the seed or seed potatoes to the user in the usual time needed for the delivery;
- [<sup>F9</sup>d the country or region in which the variety is tested and approved for the purposes of the GB variety list as defined in the Seeds (National Lists of Varieties) Regulations 2001.]
- e the date from which the seed or seed potatoes will be available;
- f the name and/or code number of the control authority or control body in charge of the control of the operator as referred to in Article 27 of Regulation (EC) No 834/2007.

2 The supplier shall immediately inform the manager of the database if any of the registered varieties are no longer available. The amendments shall be recorded in the database.

3 Besides the information specified in paragraph 1, the database shall contain a list of the species listed in Annex X.

#### Textual Amendments

- F9** Art. 51(1)(d) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(29)** (as amended by [S.I. 2020/1400](#), regs. 1(b), **3(3)(h)**); 2020 c. 1, **Sch. 5 para. 1(1)**

## Article 52

### Access to information

1 The information in the database referred to in Article 48 shall be available through the Internet, free of cost, to the users of seed or seed potatoes and to the public. [<sup>F10</sup>The relevant authority] may decide that any user who has notified its activity in accordance with Article 28(1) (a) of Regulation (EC) No 834/2007 may obtain, on request, an extract of data concerning one or several groups of species from the database manager.

2 The [<sup>F11</sup>relevant authority] shall ensure that all users referred to in paragraph 1 are informed, at least once a year, about the system and how to obtain the information in the database.

#### Textual Amendments

- F10** Words in Art. 52(1) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(30)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 52(2) substituted (31.12.2020) by [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(30)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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### Article 53

#### Registration fee

Each registration may be subject to the levying of a fee, which shall represent the cost of inserting and maintaining the information in the database referred to in Article 48. The competent authority <sup>F12</sup> ... shall approve the amount of the fee charged by the manager of the database.

#### Textual Amendments

**F12** Words in Art. 53 omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(31)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 54

#### Annual report

1 The authorities or bodies designated to grant authorisations in accordance with Article 45 shall register all authorisations, and shall make this information available in a report to the competent authority <sup>F13</sup> ... and to the manager of the database.

The report shall contain, for each species concerned by an authorisation according to Article 45(5), the following information:

- a the scientific name of the species and the variety denomination;
- b the justification for the authorisation indicated by a reference to Article 45(5)(a), (b), (c) or (d);
- c the total number of authorisations;
- d the total quantity of seed or seed potatoes involved;
- e the chemical treatment for phytosanitary purposes, as referred to in Article 45(2).

2 For authorisations according to Article 45(8) the report shall contain the information referred to in point (a) of the second subparagraph of paragraph 1 of this Article and the period for which the authorisations were in force.

#### Textual Amendments

**F13** Words in Art. 54(1) omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(32)**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F14</sup> Article 55

#### Summary report

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**Textual Amendments**

**F14** Art. 55 omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(33)**; 2020 c. 1, Sch. 5 para. 1(1)

*<sup>F15</sup>Article 56*

**Information upon request**

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**Textual Amendments**

**F15** Art. 56 omitted (31.12.2020) by virtue of [The Organic Production and Control \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/693\)](#), regs. 1(2), **3(33)**; 2020 c. 1, Sch. 5 para. 1(1)

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