
STATUTORY INSTRUMENTS

1997 No. 166

AGRICULTURE
COMMON AGRICULTURAL POLICY

The Organic Products (Amendment) Regulations 1997

<i>Made</i>	- - - -	<i>28th January 1997</i>
<i>Laid before Parliament</i>		<i>29th January 1997</i>
<i>Coming into force</i>	- -	<i>24th February 1997</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Organic Products (Amendment) Regulations 1997 and shall come into force on 24th February 1997.

(2) In these Regulations “the principal Regulations” means the Organic Products Regulations 1992⁽³⁾.

Amendment of the principal Regulations

2. The principal Regulations shall be further amended in accordance with regulations 3 to 6 below.

3. In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) after the definition of “the appropriate Minister” there shall be inserted the following definition—

““the Commission Regulations” means—

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1992/2111, amended by S.I. 1993/405, 1994/2286.

- (a) Commission Regulation (EEC) No. 94/92(4) laying down detailed rules for implementing the arrangements for imports from third countries provided for in Regulation (EEC) No. 2092/91, as amended by Commission Regulation (EC) No. 522/96(5)
 - (b) Commission Regulation (EEC) No. 3457/92(6) laying down detailed rules concerning the inspection certificate for imports from third countries into the Community provided for in Council Regulation (EEC) No. 2092/91, as amended by Commission Regulation (EC) No. 529/95(7), and
 - (c) Commission Regulation (EC) No. 529/95 deferring for imports from certain third countries the date of application of Article 11(1) of Council Regulation (EEC) No. 2092/91, as amended by Commission Regulation (EC) No. 522/96;”
- (ii) in the definition of “the Council Regulation” there shall be inserted at the end the words “, as amended by Commission Regulation (EEC) No. 1535/92(8), Council Regulation (EEC) No. 2083/92(9), Commission Regulations (EEC) No. 207/93(10), (EEC) No. 2608/93(11), (EC) No. 468/94(12), (EC) No. 2381/94(13), (EC) No. 1201/95(14) and (EC) No. 1202/95(15), Council Regulation (EC) No. 1935/95(16) and Commission Regulation (EC) No. 418/96(17)”;
- (iii) there shall be substituted for the definition of “Specified Community provision” the following definition—
- ““Specified Community provisions” means those provisions of the Council Regulation which are specified in column 1 of the Schedule to these Regulations, as read with any supplementary provisions specified in column 2 thereof.”
- (b) in paragraph (2) there shall be inserted after the words “the Council Regulation” the words “and the Commission Regulations.”
4. There shall be inserted after regulation 3 the following regulation—
- “Additional requirement relating to the labelling of organic products**
- 3A.** For the purposes of Article 5(1)(d), (3)(g), (5)(e) and (5a)(h), the operator shall include on the labelling a reference to the code number of the relevant inspection authority or body.”
5. In regulation 6 (enforcement, offences and penalties)—
- (a) in paragraph (1) there shall be inserted at the end the words “and regulation 3A of these Regulations”;

(4) OJ No. L11, 17.1.92, p.14.
(5) OJ No. L77, 27.3.96, p.10.
(6) OJ No. L350, 1.12.92, p.56.
(7) OJ No. L54, 10.3.95, p.10.
(8) OJ No. L162, 16.6.92, p.15.
(9) OJ No. L208, 24.7.92, p.15.
(10) OJ No. L25, 2.2.93, p.5.
(11) OJ No. L239, 24.9.93, p.10.
(12) OJ No. L59, 3.3.94, p.1.
(13) OJ No. L255, 1.10.94, p.84.
(14) OJ No. L119, 30.5.95, p.9.
(15) OJ No. L119, 30.5.95, p.11.
(16) OJ No. L186, 5.8.95, p.1.
(17) OJ No. L59, 8.3.96, p.10.

- (b) in paragraph (2) there shall be inserted after the words “Specified Community provisions” the words “or regulation 3A of these Regulations”;
 - (c) in paragraphs (3) and (4) there shall be inserted after the words “Specified Community provisions” the words “and regulation 3A of these Regulations”.
- 6.** For the Schedule (Specified Community provisions) there shall be substituted the Schedule to these Regulations.

27th January 1997

Tim Boswell
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

28th January 1997

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made).

SCHEDULE

Regulation 6

CONTAINING NEW SCHEDULE TO THE principal Regulations

“SCHEDULE

Regulation 2(1)

SPECIFIED COMMUNITY PROVISIONS

Column 1 Provision of the Council Regulation	Column 2 Supplementary provisions	Column 3 Subject matter
1. Article 5	Article 6a of the Council Regulation	Requirements relating to the labelling and advertising of products which bear or are intended to bear indications referring to organic production methods
2. Article 10(1)		Requirements for indication that products are covered by the specific inspection scheme
3. Article 10(2)		Prohibition on claims that the indication “Organic Farming—EC Control System” constitutes a guarantee of superior quality
4. Article 11	the Commission Regulations	Restrictions on marketing organic products imported from a third country”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Organic Products Regulations 1992, as amended (“the principal Regulations”). These Regulations provide for the execution and enforcement of Council and Commission Regulations amending or supplementing Council Regulation (EEC) No. 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs. Those Regulations are listed in the revised definition of “the Council Regulation” and the new definition of “the Commission Regulations” (regulation 3(a)(i) and (ii)).

These Regulations—

- (a) update the list of Specified Community provisions enforced by the principal Regulations (regulations 3(a)(iii) and 6 and Schedule);
- (b) impose an additional labelling requirement in respect of organic products in pursuance of Article 5 of Council Regulation (EEC) No. 2092/91 (regulations 4 and 5);

(c) make a consequential amendment (regulation 3(b)).

The code numbers referred to in regulation 4 are contained in the UKROFS Standards for Organic Food Production, published by the Ministry of Agriculture, Fisheries and Food. Details of the code numbers are available, free of charge, from Conservation and Woodlands Policy Division, Branch C, Ministry of Agriculture, Fisheries and Food, Room 322, Nobel House, 17 Smith Square, London SW1P 3JR (telephone 0171 238 5758; fax number 0171 238 6553).

No Compliance Cost Assessment in relation to these Regulations has been prepared.