

STATUTORY INSTRUMENTS

**2009 No. 842**

**The Organic Products Regulations 2009**

**PART 4**

**Fees**

**Fees - general**

**9.**—(1) All fees payable under this Part are payable on invoice.

(2) In any proceedings for recovery of an amount payable under this Part, a certificate issued by the person to whom the amount is payable stating that payment of an amount payable under this Part was not received by a date specified in the certificate is evidence of the facts stated.

**Fees for registering information in the database**

**10.**—(1) Subject to paragraph (2), the Soil Association must charge a supplier a fee of [<sup>F1</sup>£182] for registering information in the database in accordance with Articles 49(1) and 51(1) of Commission Regulation 889/2008.

(2) The Soil Association may waive the whole or part of any fee payable under paragraph (1).

**Textual Amendments**

**F1** Reg. 10(1) sum substituted (1.10.2010) by [The Organic Products \(Amendment\) Regulations 2010 \(S.I. 2010/1902\)](#), regs. 1, **2(c)**

**Fees for ingredient authorisations**

**11.** The Secretary of State may charge a fee of £38 for issuing or for renewing a provisional authorisation to permit the use of a non-organic agricultural ingredient in organic production for the purposes of Article 19(1)(c) of the Council Regulation.

**Fees for import authorisations**

<sup>F2</sup>**12.** .....

**Textual Amendments**

**F2** Reg. 12 omitted (1.10.2015) by virtue of [The Organic Products \(Amendment\) Regulations 2015 \(S.I. 2015/1669\)](#), regs. 1, **2(3)**

### **Fees for approvals of control bodies and post-approval inspections**

**13.**—(1) The Secretary of State may charge a person who has applied for approval as a control body for the purposes of Article 27 of the Council Regulation a fee of [<sup>F3</sup>£203.00].

(2) The Secretary of State may charge a control body a fee in respect of any expenses reasonably incurred in carrying out, for the purposes of Article 27(8) or (9) of the Council Regulation—

- (a) any further inspection of a control body’s offices or facilities;
- (b) any inspection of an operator’s premises, facilities or holding; and
- (c) any associated administrative work (including verification of the competence of the inspectors employed by the control body).

(3) Any fee payable by a control body under this regulation remains payable even if its approval as a control body has subsequently been withdrawn by the Secretary of State under Article 27(8) or 27(9)(d) of the Council Regulation.

---

#### **Textual Amendments**

**F3** Reg. 13(1) sum substituted (1.10.2015) by [The Organic Products \(Amendment\) Regulations 2015 \(S.I. 2015/1669\)](#), regs. 1, **2(4)**

### **Fees relating to the control system**

**14.**—(1) A control body must charge an operator a fee in respect of any expenses reasonably incurred by it in carrying out an inspection of the operator’s holding, premises or facilities.

(2) Where an operator has been unable to reach agreement with a control body for the carrying out of an inspection, the Secretary of State must, if so requested by the operator, arrange for another control body to carry out an inspection.

(3) In this regulation, “inspection” means an inspection or control visit carried out for the purposes of Article 65 of Commission Regulation 889/2008.

### **Fees relating to third country imports**

**15.**—(1) Subject to paragraph (2), a port health authority or local authority must charge an importer of a consignment a fee in respect of any expenses reasonably incurred by it—

- (a) in carrying out its functions under regulation 7 in respect of that consignment; and
- (b) in carrying out a verification of the consignment.

(2) A port health authority or local authority may waive the whole or part of any fee payable under paragraph (1), but in deciding to do so must consider the extent to which it would have been reasonable for it not to have taken the action in respect of which any such expenses have been incurred.

**Changes to legislation:**

There are currently no known outstanding effects for the The Organic Products Regulations 2009, PART 4.