

Council Regulation (EEC) No 2092/91 of 24 June 1991 on  
organic production of agricultural products and indications  
referring thereto on agricultural products and foodstuffs (repealed)

*Scope*

*[<sup>F1</sup>Article 1*

1 This Regulation shall apply to the following products, where such products bear, or are intended to bear, indications referring to the organic production method:

- a unprocessed agricultural crop products; also livestock and unprocessed livestock products, to the extent that principles of production and specific inspection rules for them are introduced in Annexes I and III;
- b processed agricultural crop and livestock products intended for human consumption prepared essentially from one or more ingredients of plant and/or animal origin;
- c feedingstuffs, compound feedingstuffs and feed materials not covered under subparagraph (a) as from the entry into force of this Regulation referred to in paragraph 3.

2 By way of derogation from paragraph 1, where the detailed production rules are not laid down in Annex I for certain animal species, the rules provided for labelling in Article 5 and for the inspections in Articles 8 and 9 shall apply for these species and the products therefrom, with the exception of aquaculture and aquaculture products. Pending the inclusion of detailed production rules, national rules or in the absence thereof private standards accepted or recognised by the Member States shall apply.

3 The Commission shall, not later than 24 August 2001, propose a regulation in accordance with the procedure in Article 14 providing for labelling requirements as well as inspection requirements and precautionary measures for products mentioned in paragraph (1) (c), as far as these requirements are related to the organic production method.

Pending the adoption of the Regulation referred to in the first subparagraph for the products mentioned in paragraph (1)(c), national rules in conformity with Community law or, in the absence thereof, private standards accepted or recognised by the Member States shall apply.]

**Textual Amendments**

- F1** Substituted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)

*[<sup>F2</sup>Article 2*

For the purposes of this Regulation a product shall be regarded as bearing indications referring to the organic production method where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with the rules of production laid down in Article 6. In particular, the following terms or their usual derivatives (such as bio, eco etc.) or diminutives, alone or combined, shall be regarded as indications referring to the organic production method throughout the Community and in any Community language, unless

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they are not applied to agricultural products in foodstuffs or feedingstuffs or clearly have no connection with this method of production:

- in Spanish: ecológico,
- in Danish: økologisk,
- in German: ökologisch, biologisch,
- in Greek: βιολογικό,
- in English: organic,
- in French: biologique,
- in Italian: biologico,
- in Dutch: biologisch,
- in Portuguese: biológico,
- in Finnish: luonnonmukainen,
- in Swedish: ekologisk.]

#### Textual Amendments

- F2** Substituted by [Council Regulation \(EC\) No 392/2004 of 24 February 2004 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.](#)

#### *[<sup>F1</sup> Article 3*

This Regulation shall apply without prejudice to other Community provisions or national provisions, in conformity with Community law, concerning products specified in Article 1, such as provisions governing the production, preparation, marketing, labelling and inspection, including legislation in foodstuffs and animal nutrition.]

#### Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)

#### *Definitions*

#### *Article 4*

For the purpose of this Regulation:

1. 'labelling' shall mean any words, particulars, trade marks, brand names, pictorial matter or symbols on any packaging, document, notice, label, board or collar accompanying or referring to a product specified in Article 1;
2. [<sup>F3</sup>'production' shall mean the operations on the agricultural holding involved in producing, packaging and initially labelling as products of organic production agricultural products produced on that holding;]
3. [<sup>F1</sup>'preparation' shall mean the operations of preserving and/or processing of agricultural products (including slaughter and cutting for livestock products), and also packaging and/or alterations made to the labelling concerning the presentation of the organic production method of the fresh, preserved and/or processed products;]

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4. 'marketing' shall mean holding or displaying for sale, offering for sale, selling, delivering or placing on the market in any other form;
5. 'operator' shall mean any natural or legal person who produces, prepares or imports from a third country, with a view to the subsequent marketing thereof, products as referred to in Article 1, or who markets such products;
6. [<sup>F3</sup>'ingredients' shall mean the substances, including additives, used in the preparation of the products specified in Article 1 (1) (b), as defined in Article 6 (4) of Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer;]
7. 'plant protection products' shall mean products as defined in Article 2 (1) of Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances<sup>(1)</sup>, as last amended by Directive 89/365/EEC<sup>(2)</sup>;
8. 'detergents' shall mean substances and preparations, within the meaning of Council Directive 73/404/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to detergents<sup>(3)</sup>, as last amended by Directive 86/94/EEC<sup>(4)</sup>, which are intended to be used for cleaning certain products as referred to in Article 1 (1) (a).
9. [<sup>F4</sup>'prepackaged foodstuff' shall mean any single item as defined in Article 1 (3) (b) of Directive 79/112/EEC;
10. 'list of ingredients' shall mean the list of ingredients referred to in Article 6 of Directive 79/112/EEC<sup>[F1;]</sup>]
11. [<sup>F5</sup>'livestock production' shall mean the production of domestic or domesticated terrestrial animals (including insects) and aquatic species farmed in fresh, salt or brackish water. The products of hunting and fishing of wild animals shall not be considered as organic production;
12. 'genetically modified organism (GMO)' shall mean any organism as defined in Article 2 of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms<sup>(5)</sup>;
13. 'GMO derivative' shall mean any substance which is either produced from or produced by GMOs, but does not contain them;
14. 'use of GMOs and GMO derivatives' shall mean use thereof as foodstuffs, food ingredients (including additives and flavourings), processing aids (including extraction solvents), feedingstuffs, compound feedingstuffs, feed materials, feed additives, processing aids for feedingstuffs, certain products used in animal nutrition (under Directive 82/471/EEC)<sup>(6)</sup>, plant protection products, veterinary medicinal products, fertilisers, soil conditioners, seeds, vegetative reproductive material and livestock;
15. 'veterinary medicinal products' shall mean products as defined in Article 1(2) of Council Directive 65/65/EEC of 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products<sup>(7)</sup>;
16. 'homeopathic veterinary medicinal products' shall mean products as defined in Article 1(1) of Council Directive 92/74/EEC of 22 September 1992, widening the scope of Directive 81/851/EEC on the approximation of provisions laid down by law,

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- regulation or administrative action relating to veterinary medicinal products and laying down additional provisions on homeopathic veterinary medicinal products<sup>(8)</sup>;
17. ‘feedingstuffs’ shall mean products as defined in Article 2(a) of Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs<sup>(9)</sup>;
18. ‘feed materials’ shall mean products as defined in Article 2(a) of Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials, amending Directives 70/524/EEC, 74/63/EEC, 82/471/EEC and 93/74/EEC and repealing Directive 77/101/EEC<sup>(10)</sup>;
19. ‘compound feedingstuffs’ shall mean products as defined in Article 2(b) of Directive 79/373/EEC;
20. ‘feed additives’ shall mean products as defined in Article 2(a) of Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs<sup>(11)</sup>;
21. ‘certain products used in animal nutrition’ shall mean nutritional products within the scope of Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition;
22. ‘organic-production unit/holding/stockfarm’ shall mean a unit, holding or stockfarm complying with the rules of this Regulation;
23. ‘organically-produced feedingstuffs/feed materials’ shall mean feedingstuffs/feed materials produced in accordance with the rules of production laid down in Article 6;
24. ‘in-conversion feedingstuffs/feed materials’ shall mean feedingstuffs/feed materials complying with the rules of production laid down in Article 6, except for the conversion period where those rules apply for at least one year before the harvest;
25. ‘conventional feedingstuffs/feed materials’ shall mean feedingstuffs/feed materials not covered by the categories mentioned in paragraphs 23 and 24.]

#### **Textual Amendments**

- F1** Substituted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)
- F3** Substituted by [Council Regulation \(EC\) No 1935/95 of 22 June 1995 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.](#)
- F4** Inserted by [Council Regulation \(EC\) No 1935/95 of 22 June 1995 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.](#)
- F5** Inserted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)

### *Labelling*

#### *Article 5*

1 The labelling and advertising of a product specified in Article 1 (1) (a) may refer to organic production methods only where:

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- a such indications show clearly that they relate to a method of agricultural production;
- b the product was produced in accordance with the rules laid down in <sup>[F3]</sup>Article 6 or imported from a third country under the arrangements laid down in Article 11;
- c the product was produced or imported by an operator who is subject to the inspection measures laid down in Articles 8 and 9;
- <sup>[F4]</sup>d in the case of products prepared after 1 January 1997, the labelling refers to the name and/or the code number of the inspection authority or body to which the operator is subject. Member States shall decide whether to require a reference to the name and/or to the code number and shall notify the Commission accordingly.]

<sup>F6</sup>2

<sup>[F3]</sup> The labelling and advertising of a product specified in Article 1 (1) (b) may bear indications referring to organic production methods in the sales description of the product only where:

- a at least 95 % of the ingredients of agricultural origin of the product are, or are derived from, products obtained in accordance with the rules laid down in Article 6 or imported from third countries under the arrangements laid down in Article 11;
- b all the other ingredients of agricultural origin of the product are included in Annex VI, Section C or have been provisionally authorized by a Member State in accordance with any implementing measures adopted where appropriate pursuant to paragraph 7;
- c the product contains only substances listed in Annex VI, Section A, as ingredients of non-agricultural origin;
- d the products or its ingredients of agricultural origin, referred to in subparagraph (a), have not been subjected to treatments involving the use of substances not listed in Annex VI, Section B;
- e the product or its ingredients have not been subjected to treatments involving the use of ionizing radiation;
- f the product has been prepared or imported by an operator who is subject to the inspection measures laid down in Articles 8 and 9;
- g in the case of products prepared after 1 January 1997, the labelling refers to the name and/or the code number of the inspection authority or body to which the operator who has carried out the most recent preparation operation is subject. Member States shall decide whether to require a reference to the name and/or to the code number and shall notify the Commission accordingly.

The indications referring to organic production methods must make it clear that they relate to a method of agricultural production and must be accompanied by a reference to the ingredients of agricultural origin concerned, unless such reference is clearly given in the list of ingredients<sup>[F1];</sup>

- <sup>[F5]</sup>h the product has been produced without the use of genetically modified organisms and/or any products derived from such organisms.]]

<sup>[F5]</sup>3a <sup>[F7]</sup>By way of derogation from paragraphs 1 to 3, trade marks which bear an indication referred to in Article 2 may continue to be used until 1 July 2006 in the labelling and advertising of products which do not comply with this Regulation provided that:

- registration of the trade mark was applied for before 22 July 1991 - unless the second subparagraph below applies - and is in conformity with the First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks<sup>(12)</sup>, and

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- the trade mark is already reproduced with a clear, prominent, and easily readable indication that the products are not produced according to the organic production method as prescribed in this Regulation.

The date of application referred to in the first indent of the first subparagraph is, for Finland, Austria, and Sweden, 1 January 1995 and, for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, 1 May 2004.]]

[<sup>F3</sup>4 Ingredients of agricultural origin may be included in Annex VI, Section C only where it has been shown that such ingredients are of agricultural origin and are not produced in sufficient quantity in the Community in accordance with the rules laid down in Article 6, or cannot be imported from third countries in accordance with the rules laid down in Article 11.]

[<sup>F3</sup>[<sup>F1</sup>5 Crop products labelled or advertised in accordance with paragraphs 1 or 3 may bear indications referring to conversion to the organic production method, provided that:]

- a the requirements referred to in paragraph 1 or paragraph 3 respectively are fully satisfied, with the exception of that concerning the length of the conversion period referred to in paragraph 1 of Annex I;
- b a conversion period of at least 12 months before the harvest has been complied with;
- c such indications do not mislead the purchaser of the product regarding its difference from products which satisfy all the requirements of paragraphs 1 or 3. After 1 January 1996, such indications must take the form of the words ‘product under conversion to organic farming’, and must appear in a colour, size and style of lettering which is not more prominent than the sales description of the product; in this indication the words ‘organic farming’ shall not be more prominent than the words ‘product under conversion to’;
- [<sup>F1</sup>d the product contains only one crop ingredient of agricultural origin;]
- e for products prepared after 1 January 1997, the labelling refers to the name and/or the code number of the inspection authority or body to which the operator who has carried out the most recent production or preparation operation is subject. Member States shall decide whether to require a reference to the name and/or to the code number and shall notify the Commission accordingly[<sup>F1</sup>];]
- [<sup>F5</sup>f the product has been produced without the use of genetically modified organisms and/or any products derived from such organisms.]]

[<sup>F4</sup>5a Without prejudice to the provisions of paragraph 3, the labelling and advertising of a product as referred to in Article 1 (1) (b) may only bear indications referring to organic production methods where:

- a at least 70 % of the ingredients of agricultural origin are, or are derived from, products obtained in accordance with the rules laid down in Article 6 or imported from third countries under the arrangements laid down in Article 11;
- b all the other ingredients of agricultural origin of the product are included in Annex VI, Section C or have been provisionally authorized by a Member State in accordance with any implementation measures adopted where appropriate pursuant to paragraph 7;
- c the indications referring to organic production methods appear in the list of ingredients and only in clear relation to those ingredients obtained according to the rules laid down in Article 6 or imported from third countries under the arrangements laid down in Article 11; they appear in the same colour and with an identical size and style of lettering as the other indications in the list of ingredients. Such indications must also appear in a separate statement set in the same visual field as the sales description and indicating the percentage of the ingredients of agricultural origin or derived therefrom which were obtained in accordance with the rules laid down in Article 6 or were imported from third

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countries under the arrangements laid down in Article 11. The statement may not appear in a colour, size and style of lettering which is more prominent than the sales description of the product. The statement shall be in the following form: 'X % of the agricultural ingredients were produced in accordance with the rules of organic production';

- d the product contains only substances listed in Annex VI, Section A as ingredients of non-agricultural origin;
  - e the product or its ingredients of agricultural origin referred to in subparagraph (a) have not been subjected to treatments involving the use of substances not listed in Annex VI, Section B;
  - f the product or its ingredients have not been subjected to treatments involving the use of ionizing radiation;
  - g the product has been prepared or imported by an operator who is subject to the inspection measures laid down in Articles 8 and 9;
  - h for products prepared after 1 January 1997, the labelling refers to the name and/or the code number of the inspection authority or inspecting body to which the operator who has carried out the most recent production or preparation operation is subject. Member States shall decide whether to require a reference to the name and/or to the code number and/or shall notify the Commission accordingly<sup>[F1;]</sup>
- [<sup>F5;1</sup> the product has been produced without the use of genetically modified organisms and/or any products derived from such organisms.]]

<sup>[F36</sup> During a transitional period expiring on 31 December 1997, the labelling and advertising of a product as referred to in Article 1 (1) (b) prepared partly from ingredients not satisfying the requirements in paragraph 3 (a) may refer to organic production methods provided that:

- a at least 50 % of the ingredients of agricultural origin satisfy the requirements referred to in paragraph 3 (a);
- b the product satisfies the requirements referred to in paragraph 3 (c), (d), (e) and (f);
- c the indications referring to organic production methods:
  - appear only in the list of ingredients as provided for in Directive 79/112/EEC, as last amended by Directive 89/395/EEC,
  - clearly refer to only those ingredients obtained according to the rules referred to in Article 6 or imported under the arrangements laid down in Article 11;
- d the ingredients and their relative levels appear in descending order by weight in the list of ingredients;
- e indications in the list of ingredients appear in the same colour and with an identical size and style of lettering.]

7 Detailed rules concerning the implementation of this Article may be established according to the procedure laid down in Article 14.

<sup>[F38</sup> Limitative lists of the substances and products referred to in paragraph 3 (b), (c) and (d) and paragraph 5a (b), (d) and (e) shall be established in Annex VI, Sections A, B and C, according to the procedure laid down in Article 14.]

Conditions of use and compositional requirements of these ingredients and substances may be specified.

Where a Member State considers that a product should be added to the abovementioned lists or that amendments should be made thereto, it shall ensure that a dossier giving the reasons for the inclusion or the amendments is sent officially to the other Member States and the Commission, which shall present it to the Committee referred to in Article 14.

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[<sup>F39</sup> For the calculation of the percentages referred to in paragraphs 3 and 6, the rules provided for in Articles 6 and 7 of Directive 79/112/EEC shall be applied.

[<sup>F10</sup> In a product as referred to in Article 1(1), paragraphs (a) and (b), an ingredient obtained according to the rules laid down in Article 6 shall not be present together with the same ingredient not obtained according to those rules.]

11 Before 1 January 1999, the Commission shall review the provisions of this Article and of Article 10 and submit any appropriate proposals for their revision.]

#### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F3** Substituted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F4** Inserted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F6** Deleted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F7** Substituted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.

#### *Rules of production*

##### *[<sup>F3</sup> Article 6*

[<sup>F11</sup> The organic production method implies that for the production of products referred to in Article 1(1)(a) other than seeds and vegetative propagating material:

- a at least the requirements of Annex I and, where appropriate, the detailed rules relating thereto, must be satisfied;
- b only products composed of substances mentioned in Annex I or listed in Annex II may be used as plant protection products, fertilisers, soil conditioners, feedingstuffs, feed materials, compound feedingstuffs, feed additives, substances used in animal nutrition under Directive 82/471/EEC, cleaning and disinfecting products for livestock buildings and installations, products for pest and disease control of livestock buildings and installations or for another purpose where such purpose is specified in Annex II in regard to certain products. They may be used only under the specific conditions laid down in Annexes I and II in so far as the corresponding use is authorised in general agriculture in the Member States concerned in accordance with the relevant Community provisions or national provisions in conformity with Community law;
- c only seed or vegetative propagating material produced by the organic production method referred to in paragraph 2 is used;]



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[<sup>F5</sup>d genetically modified organisms and/or any product derived from such organisms must not be used, with the exception of veterinary medicinal products.]

[<sup>F12</sup> The organic production method implies that for seeds and vegetative reproductive material, the mother plant in the case of seeds and the parent plant(s) in the case of vegetative propagating material have been produced:

- a without the use of genetically modified organisms and/or any products derived from such organisms, and
- b in accordance with subparagraphs (a) and (b) of paragraph 1 for at least one generation or, in the case of perennial crops, two growing seasons.]

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- a By way of derogation from paragraph 1 (c), seeds and vegetative propagating material not obtained by the organic production method may, during a transitional period expiring on [<sup>F131</sup> December 2003] and with the approval of the competent authority of the Member State, be used in so far as users of such propagating material can show to the satisfaction of the inspection body or authority of the Member State that they were unable to obtain on the market propagating material for an appropriate variety of the species in question and satisfying the requirements of paragraph 2. In that case, propagating material which is not treated with products not listed in Annex II, Section B must be used, if available on the Community market. Member States shall inform the other Member States and the Commission of any authorization granted under this paragraph.
- b The procedure laid down in Article 14 may be applied to decide on:
  - the introduction, before [<sup>F131</sup> December 2003], of restrictions concerning the transitional measure referred to in subparagraph (a) with regard to certain species and/or types of propagating material and/or the absence of chemical treatment,
  - the maintenance, after [<sup>F131</sup> December 2003], of the derogation provided for in subparagraph (a) with regard to certain species and/or types of propagating material and with regard to the whole Community or certain parts thereof,
  - the introduction of procedural rules and criteria concerning the derogation referred to in subparagraph (a) and the information thereon communicated to the professional organizations concerned, to other Member States and the Commission.

4 Before [<sup>F131</sup> December 2002], the Commission shall review the provisions of this Article, in particular paragraph 1 (c) and paragraph 2 and submit any appropriate proposals with a view to their revision.]

#### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F3** Substituted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.

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*[<sup>F4</sup>Article 6a*

1 For the purposes of this Article, 'seedlings' shall mean whole seedlings intended for planting for plant production.

2 The organic production method implies that when producers use seedlings, they have been produced in accordance with Article 6.

3 By way of derogation from paragraph 2, seedlings not obtained by organic production methods may be used during a transitional period expiring on 31 December 1997 in so far as the following conditions are met:

- a the competent authority of the Member State has authorized the use after the user or users of such material have demonstrated to the satisfaction of the inspection body or authority of the Member State that they were not able to obtain an appropriate variety of the species in question on the Community market;
- b the seedlings have not been treated, since sowing, with any products other than those listed in Annex II, Sections A and B;
- c the seedlings come from a producer who has accepted an inspection system equivalent to the arrangements laid down in Article 9 and has agreed to apply the restriction in subparagraph (b); this provision shall enter into force on 1 January 1996;
- d after planting, the seedlings must have been cultivated in accordance with the provisions of Article 6 (1) (a) and (b) for a period of at least six weeks before harvesting;
- e the labelling of any product containing ingredients derived from such seedlings may not include the indication referred to in Article 10;
- f without prejudice to any restriction resulting from the procedure referred to in paragraph 4, any authorization granted under this paragraph shall be withdrawn as soon as the shortage comes to an end, and shall expire on 31 December 1997 at the latest.

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- a Where an authorization as referred to in paragraph 3 has been granted, the Member State shall immediately notify to the other Member State and to the Commission the following information:
  - the date of the authorization,
  - the name of the variety and species concerned,
  - the quantities that are required and the justification for those quantities,
  - the expected period of the storage,
  - any other information requested by the Commission or the Member States.
- b If the information submitted by any Member State of the Commission and to the Member State which granted the authorization shows that an appropriate variety is available during the period of the storage, the Member State shall consider withdrawing the authorization or reducing its period of validity, and shall inform the Commission and the other Member States of the measures it has taken, within 10 days of the date of receipt of the information.
- c At the request of a Member State or at the Commission's initiative, the matter shall be submitted for examination to the Committee referred to in Article 14. It may be decided, in accordance with the procedure laid down in Article 14, that the authorization shall be withdrawn or its period of validity amended.]

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### Textual Amendments

- F4** Inserted by [Council Regulation \(EC\) No 1935/95 of 22 June 1995 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.](#)

### Article 7

[<sup>F1</sup> Products not authorised at the date of adoption of this Regulation for a purpose indicated in Article 6(1)(b) may be included in Annex II, provided that the following conditions are satisfied:

- a if they are used for the purpose of plant pest or disease control or for cleaning and disinfecting livestock buildings and installations:
  - they are essential for the control of a harmful organism or a particular disease for which other biological, cultural, physical or breeding alternatives are not available, and
  - the conditions for their use preclude any direct contact with the seed, the crop, crop products or livestock and livestock products; however, in the case of perennial crops, direct contact may take place, but only outside the growing season of the edible parts (fruits) provided that such application does not indirectly result in the presence of residues of the product in the edible parts, and
  - their use does not result in, or contribute to, unacceptable effects on, or contamination of, the environment;]
- b if they are used for fertilization or soil-conditioning purposes:
  - they are essential for specific nutrition requirements of crops or specific soil-conditioning purposes which cannot be satisfied by the practices mentioned in Annex I, and
  - their use does not result in unacceptable effects on the environment or contribute to the contamination thereof.

[<sup>F4</sup>1a The conditions provided for in paragraph 1 shall not apply to products which were in common use before the adoption of this Regulation according to the codes of practice on organic farming followed in the Community.]

[<sup>F5</sup>1b With regard to minerals and trace elements used in animal nutrition, additional sources for these products may be included in Annex II provided that they are of natural origin or failing that, synthetic in the same form as natural products.]

- 2 If need be, the following may be specified for any product included in Annex II:
  - the detailed description of the product,
  - the conditions of its use and compositional and/or solubility requirements, with regard in particular to the need to insure for these products a minimal presence of residues on edible parts of the crop and on edible crop products as well as a minimum effect on the environment,
  - particular labelling requirements for products referred to in Article 1 where such products are obtained with the aid of certain products referred to in Annex II.

3 Amendments to Annex II, concerning either inclusion or cancelling of products as referred to in paragraph 1 or inclusion or amendments of specifications as referred to in paragraph 2, shall be adopted by the Commission in accordance with the procedure laid down in Article 14.

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

4 Where a Member State considers that a product should be added to Annex II or that amendments should be made thereto, it shall ensure that a dossier giving the reasons for the inclusion or the amendments is sent officially to the other Member States and the Commission, which shall introduce it to the committee referred to in Article 14.

#### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F4** Inserted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.

### *Inspection system*

#### *Article 8*

[<sup>F21</sup> Any operator who produces, prepares, stores or imports from a third country products as specified in Article 1 with a view to the subsequent marketing thereof, or who markets such products, shall:

- a notify this activity to the competent authority of the Member State where the activity is carried out; such notification shall include the information referred to in Annex IV;
- b submit his undertaking to the inspection system referred to in Article 9.

Member States may exempt from the application of this paragraph operators who sell such products directly to the final consumer or user provided they do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country.

Where an operator contracts out any of the activities referred to in the first subparagraph to a third party, that operator shall nonetheless be subject to the requirements referred to in points (a) and (b), and the subcontracted activities shall be subject to the inspection system referred to in Article 9.]

2 Member States shall designate an authority or body for the reception of notifications.

Member States may provide for the communication of any additional information which they consider to be necessary for effective supervision of the operators concerned.

3 The competent authority shall ensure that an updated list containing the names and addresses of operators subject to the inspection system is made available to interested parties.

#### Textual Amendments

- F2** Substituted by Council Regulation (EC) No 392/2004 of 24 February 2004 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

## Article 9

[<sup>F21</sup> Member States shall set up an inspection system operated by one or more designated inspection authorities and/or by approved private bodies to which the operators referred to in Article 8(1) shall be subject.]

2 Member States shall adopt the measures necessary to ensure that an operator who complies with the provisions of this Regulation and pays his contribution to inspection expenses has access to the inspection system.

3 The inspection system shall comprise at least the application of the precautionary and inspection measures specified in Annex III.

4 For the application of the inspection system operated by private bodies, Member States shall designate an authority responsible for the approval and supervision of such bodies.

5 For the approval of a private inspection body, the following shall be taken into account:

- a the standard inspection procedure to be followed, containing a detailed description of the inspection measures and precautions which the body undertakes to impose on operators subject to its inspection;
- b the penalties which the body intends to apply where [<sup>F3</sup>irregularities and/or infringements] are found;
- c the availability of appropriate resources in the form of qualified staff, administrative and technical facilities, inspection experience and reliability;
- d the objectivity of the inspection body *vis-à-vis* the operators subject to its inspection.

6 After an inspection body has been approved, the competent authority shall:

- a ensure that the inspections carried out by the inspection body are objective;
- b verify the effectiveness of its inspections;
- c take cognizance of any [<sup>F3</sup>irregularities and/or infringements] found and penalties applied;
- d withdraw approval of the inspection body where it fails to satisfy the requirements referred to in (a) and (b) or no longer fulfils the criteria indicated in paragraph 5 or fails to satisfy the requirements [<sup>F3</sup>laid down in paragraphs 7, 8, 9 and 11.]

[<sup>F46a</sup> Before 1 January 1996, Member States shall issue a code number to each inspection body or authority approved or designated in accordance with the provisions of this Article. They shall inform the other Member States and the Commission thereof; the Commission shall publish the code numbers in the list referred to in the last subparagraph of Article 15.]

7 The inspection authority and the approved inspection bodies referred to in paragraph 1 shall:

- a ensure that at least the inspection measures and precautions specified in Annex III are applied to undertakings subject to their inspection;
- b not disclose information and data they obtain in their inspection activity to persons other than the person responsible for the undertaking concerned and the competent public authorities. [<sup>F8</sup>However, upon request duly justified by the necessity to guarantee that the products have been produced in accordance with this Regulation, they shall exchange with other inspection authorities or approved inspection bodies relevant information on the results of their inspection. They may also exchange the abovementioned information on their own initiative.]

8 Approved inspection bodies shall:

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

- a give the competent authority, for inspection purposes, access to their offices and facilities, together with any information and assistance deemed necessary by the competent authority for the fulfilment of its obligations pursuant to this Regulation;
  - b send to the competent authority of the Member State by 31 January each year a list of operators subject to their inspection on 31 December of the previous year and present to the said authority a concise annual report.
- 9 The inspection authority and inspection bodies referred to in paragraph 1 shall:
- [<sup>F2</sup>a ensure that, where an irregularity is found regarding the implementation of Articles 5 and 6 or of the provisions referred to in Articles 3 and 4 of Commission Regulation (EC) No 223/2003 of 5 February 2003 on labelling requirements related to the organic production method for feedingstuffs, compound feedingstuffs and feed materials<sup>(13)</sup>, or of the measures referred to in Annex III, the indications provided for in Article 2 referring to the organic production method are removed from the entire lot or production run affected by the irregularity concerned;]
  - b where a manifest infringement, or an infringement with prolonged effects is found, prohibit the operator concerned from marketing products with indications referring to the organic production method for a period to be agreed with the competent authority of the Member State.
- 10 The following may be adopted in accordance with the procedure laid down in Article 14:
- a detailed rules concerning the requirements indicated in paragraph 5 and the measures listed in paragraph 6;
  - b implementation measures concerning the provisions of paragraph 9.
- [<sup>F4</sup>11 As from 1 January 1998 and without prejudice to the provisions of paragraphs 5 and 6, approved inspection bodies must satisfy the requirements laid down in the conditions of standard EN 45011 of [<sup>F9</sup>26 June 1989].]
- [<sup>F5</sup>12
- a For livestock meat production Member States shall ensure, without prejudice to the provisions of Annex III, that the inspections relate to all stages of production, slaughter, cutting and any other preparation up to the sale to the consumer to ensure as far as technically possible the traceability of livestock products through the production, processing and any other preparation chain from the unit of production of the livestock until the unit of final packaging and/or labelling. They shall inform the Commission together with the report on supervision referred to in Article 15, on the measures taken and their follow-up.
  - b For other livestock products different from meat, further provisions to ensure, as far as technically possible, traceability will be set out in Annex III.
  - c In any event the measures taken under Article 9 shall ensure that consumers are given guarantees that the products have been produced in accordance with this Regulation.]

#### Textual Amendments

- F2** Substituted by [Council Regulation \(EC\) No 392/2004 of 24 February 2004 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.](#)
- F3** Substituted by [Council Regulation \(EC\) No 1935/95 of 22 June 1995 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.](#)

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

- F4** Inserted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F8** Inserted by Council Regulation (EC) No 392/2004 of 24 February 2004 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.
- F9** Deleted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.

*Indication that products are covered by the inspection scheme*

*Article 10*

[<sup>F3</sup>1 The indication and/or the logo shown in Annex V indicating that products are covered by the specific inspection scheme, may appear on the labeling of products as referred to in Article 1 only where such products:

- a satisfy the requirements of Article 5 (1) or (3);
- [<sup>F2</sup>b have been subject to the inspection system referred to in Article 9 throughout the production and preparation process or, in the case of imported products to equivalent measures; in the case of products imported according to Article 11 (6), the implementation of the inspection system shall comply with requirements equivalent to those provided for in Article 9, and in particular paragraph 4 thereof;]
- c are sold directly by the producer or preparer to the ultimate consumer in sealed packaging, or placed on the market as prepackaged foodstuffs; in the case of direct sales by the producer or preparer to the ultimate consumer, the sealed packaging is not required when the labelling enabled the product requiring this indication to be identified clearly and unambiguously;
- d show on the labelling the name and/or business name of the producer, preparer or vendor together with the name or code number of the inspection authority or body, and any indication required in accordance with the provisions of the regulations on the labelling of foodstuffs, in accordance with Community legislation.]

2 No claim may be made on the label or advertising material that suggests to the purchaser that the indication shown in Annex V constitutes a guarantee of superior organoleptic, nutritional or salubrious quality.

3 The inspection authority and inspection bodies referred to in Article 9 (1) must:

- a ensure that, where an irregularity is found under [<sup>F3</sup>Articles 5 and 6] or the measures referred to in Annex III, the indication shown in Annex V is removed from the entire lot or production run affected by the irregularity concerned;
- b where a manifest infringement, or an infringement with prolonged effects, is found, withdraw from the operator concerned the right to use the indication shown in Annex V for a period to be agreed with the competent authority of the Member State.

4 Rules on withdrawal of the indication shown in Annex V where certain infringements of Articles 5, 6 and 7 or of the requirements and measures in Annex III are detected may be adopted in accordance with the procedure laid down in Article 14.



*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

### Textual Amendments

- F2** Substituted by Council Regulation (EC) No 392/2004 of 24 February 2004 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.
- F3** Substituted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.

## *[<sup>F3</sup>General enforcement measures*

### *Article 10 a*

1 Where a Member State finds irregularities or infringements relating to the application of this Regulation in a product coming from another Member State and bearing indications as referred to in Article 2 and/or Annex V, it shall inform the Member State which designated the inspection authority or approved the inspection body and the Commission thereby.

2 Member States shall take whatever measures and action are required to prevent fraudulent use of the indications referred to in Article 2 and/or Annex V.]

## *Imports from third countries*

### *Article 11*

1 Without prejudice to Article 5, products as specified in Article 1 which are imported from a third country may be marketed only where:

- a they originate in a third country appearing in a list to be drawn up by a Commission decision in accordance with the procedure laid down in Article 14 and were produced in a region or a production unit and under the inspection of an inspection body specified, where appropriate, in the decision concerning the third country in question;
- b the competent authority or body in the third country has issued a certificate of inspection stating that the lot designated in the certificate:
  - was obtained within a system of production applying rules equivalent to those laid down in Article 6, and
  - was subject to a system of inspection recognized as equivalent in accordance with paragraph 2 (b).

2 For the purpose of deciding whether, for certain products as specified in Article 1, a third country may at its request be included in the list referred to in paragraph 1 (a), the following shall be taken into account in particular:

- a the guarantees which the third country can offer, at least in respect of production for export to the Community, as regards the application of rules equivalent to those laid down in Article 6;
- b the effectiveness of the inspection measures applied, which, at least in respect of production for export to the Community, must be equivalent to the inspection measures referred to in Articles 8 and 9 to ensure compliance with the rules referred to in (a).

On the basis of this information, the regions or production units of origin, or the bodies whose inspections are deemed to be equivalent, may be specified in the Commission decision.



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*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

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- 3 The certificate referred to in paragraph 1 (b) must:
- a accompany the goods, in the original copy, to the premises of the first consignee; thereafter the importer must keep the certificate at the disposal of the [<sup>F3</sup>inspection body and/or inspection authority] for not less than two years;
  - b be drawn up in accordance with procedures and a model to be adopted in accordance with the procedure laid down in Article 14.

4 Detailed rules for the implementation of this Article may be determined according to the procedure referred to in Article 14.

5 When examining a request from a third country, the Commission shall require it to supply all the necessary information; it may also entrust experts with the task of carrying out, under its authority, an on-the-spot examination of the rules of production and inspection measures actually applied in the third country in question.

[<sup>F10</sup>6

- a By way of derogation from paragraph 1, the importer(s) in a Member State shall be authorized by the competent authority of the Member State to market until [<sup>F1</sup>31 December 2005], products imported from a third country not included in the list referred to in paragraph 1 (a) provided the importer(s) furnish(es) the competent authority of the importing Member State with sufficient evidence that the imported products were manufactured according to production rules equivalent to those laid down in Article 6]and were subject to inspection measures of equivalent effectiveness to those referred to in Articles 8 and 9, and that such inspection measures will be permanently and effectively applied.

Such authorization shall be valid only as long as the abovementioned conditions are shown to be satisfied. [<sup>F3</sup>It shall expire from the time of the decision to include a third country in the list referred to in paragraph 1 (a), unless it concerns a product which was produced in a region not specified in the decision referred to in paragraph 1 (a), and which was not examined in the framework of the request submitted by the third country, and only where that third country has agreed to the continuation of the authorization arrangements provided for in this paragraph.]

- b Where a Member State has received sufficient evidence from an importer, it shall forthwith notify to the Commission and the other Member States the third country from which products are imported and supply detailed information on the production and inspection arrangements and the guarantees that they will be permanently and effectively applied.
- c At the request of a Member State or at the Commission's initiative, the matter shall be submitted to the Committee referred to in Article 14 for examination. Should it emerge from this examination that the imported products were not manufactured according to equivalent production rules and/or inspection measures of equivalent effectiveness, the Commission shall request the Member State which granted the authorization to withdraw it. It may be decided, in accordance with the procedure laid down in Article 14, that the imports in question shall be prohibited or that their continuation shall be subject to certain of the import conditions being amended within a given period.
- d The notification referred to in (b) shall not be required where it concerns production and inspection arrangements already notified by another Member State, pursuant to (b), unless significant new evidence is submitted justifying a review of the examination and decision referred to in (c).

Before 31 July 1994, the Commission shall re-examine the provisions of paragraph 1 and submit any appropriate proposal for its review.]

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

[<sup>F47</sup> The Commission may, in accordance with the procedure laid down in Article 14 at the request of a Member State, approve a third country's inspection body which has previously been assessed by the Member State concerned and add it to the list referred to in paragraph 1 (a). The Commission shall forward the request to the third country concerned.]

#### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F3** Substituted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F4** Inserted by Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- F10** Inserted by Council Regulation (EEC) No 2083/92 of 14 July 1992 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.

### *Free movement within the Community*

#### *Article 12*

Member States may not, on grounds relating to the method of production, to labelling or to the presentation of that method, prohibit or restrict the marketing of products as specified in Article 1 that meet the requirements of this Regulation.

[<sup>F5</sup> However, with regard to the rules referred to in Annex I, part B, concerning livestock production, Member States may apply more stringent rules to livestock and livestock products produced within their territory, provided that these rules are in compliance with Community law and do not prohibit or restrict the marketing of other livestock and livestock products that meet the requirements of this Regulation.]

#### Textual Amendments

- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.

### *Administrative provisions and implementation*

#### *[<sup>F1</sup> Article 13*

The following may be adopted in accordance with the procedure laid down in Article 14:

- detailed rules for applying this Regulation;
- amendments to Annexes I to IV, VI, VII and VIII;
- amendments to Annex V in order to define a Community logo to accompany or replace the indication that products are covered by the inspection scheme;
- restrictions and implementation measures for applying the derogation as referred to in Article 6, (1) (d) for veterinary medicinal products;

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

- implementation measures according to scientific evidence or technical progress to apply the prohibition on the use of GMOs and GMOs derivatives with regard, in particular, to a *de minimis* threshold for unavoidable contamination which shall not be exceeded.]

#### Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)

#### *[<sup>F1</sup>Article 14*

- 1 The Commission shall be assisted by a committee.
- 2 Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC<sup>(14)</sup> shall apply.  
The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.
- 3 The Committee shall adopt its Rules of Procedure.]

#### Textual Amendments

- F11** Substituted by [Council Regulation \(EC\) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure \(qualified majority\).](#)

#### *Article 15*

Before 1 July each year, Member States shall inform the Commission of measures taken in the preceding year for the implementation of this Regulation and shall communicate in particular:

- a list of the operators who, on 31 December of the previous year, had given notification under Article 8 (1) (a) and are subject to the inspection system referred to in Article 9,
- a report on supervision pursuant to Article 9 (6).

In addition, by 31 March each year, Member States shall inform the Commission of the list of inspection bodies approved on 31 December of the previous year, their legal and operational structure, their standard inspection procedure, their penalty arrangements and, where appropriate, their mark.

The Commission shall each year publish, in the ‘C’ series of the *Official Journal of the European Communities*, the lists of approved bodies notified to it within the deadlines laid down in the foregoing subparagraph.

#### *[<sup>F5</sup>Article 15a*

In respect of the measures set out in this Regulation, particularly those to be implemented by the Commission, with a view to meeting the objectives laid down in Articles 9 and 11 and the technical annexes, the necessary appropriations shall be set aside each year during the budgetary procedure.]

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

#### Textual Amendments

- F5** Inserted by [Council Regulation \(EC\) No 1804/1999 of 19 July 1999 supplementing Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.](#)

#### Article 16

1 This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

2 Within nine months of the entry into force of this Regulation, Member States shall implement Articles 8 and 9.

[<sup>F123</sup> Article 5, Article 8 (1) and Article 11 (1) shall apply from 1 January 1993.]

In accordance with the procedure laid down in Article 14, the date of application of Article 11 (1) may be deferred for a specified period for imports from a third country where, following a request by the third country, the stage reached in examining the matter does not permit a decision regarding the inclusion of the country concerned in the list provided for in Article 11 (1) (a) before expiry of the period referred to in the first subparagraph.

For the purposes of complying with the conversion period referred to in paragraph 1 of Annex I, the period which has elapsed before the entry into force of this Regulation shall be taken into account where the operator can demonstrate to the satisfaction of the inspection body that during that period he was producing in accordance with the national provisions in force or, failing that, with the recognized international standards for organic production.

4 For 12 months following the entry into force of this Regulation, Member States may, by way of derogation from Article 6 (1), authorize the use in their territory of products containing substances not listed in Annex II, where they consider that the requirements of Article 7 (1) are satisfied.

5 For a period expiring 12 months after the establishment of Annex VI in accordance with Article 5 (7), Member States may continue to authorize, in accordance with their national provisions, the use of substances not listed in the said Annex VI.

6 Each Member State shall inform the other Member States and the Commission of substances authorized pursuant to paragraphs 4 and 5.

#### Textual Amendments

- F12** Substituted by [Council Regulation \(EEC\) No 2083/92 of 14 July 1992 amending Regulation \(EEC\) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.](#)

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*Status: Point in time view as at 25/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed). (See end of Document for details)*

- (1) OJ No L 33, 8. 2. 1979, p. 36.
- (2) OJ No L 159, 10. 6. 1989, p. 58.
- (3) OJ No L 347, 17. 12. 1973, p. 51.
- (4) OJ No L 80, 25. 3. 1986, p. 51.
- (5) [<sup>F5</sup>OJ L 117, 8.5.1990, p. 15. Directive as last amended by Directive 97/35/EC (OJ L 169, 27.6.1997, p. 72).
- (6) OJ L 213, 21.7.1982, p. 8. Directive as last amended by Directive 1999/20/EC (OJ L 80, 25.3.1999, p. 20).
- (7) OJ 22, 9.2.1965, p. 369. Directive as last amended by Directive 93/39/EEC (OJ L 214, 24.8.1993, p. 22).
- (8) OJ L 297, 13.10.1992, p. 12.
- (9) OJ L 86, 6.4.1979, p. 30. Directive as last amended by Directive 98/87/EC (OJ L 318, 27.11.1998, p. 43).
- (10) OJ L 125, 23.5.1996, p. 35. Directive as amended by Directive 98/67/EC (OJ L 261, 24.9.1998, p. 10).
- (11) OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 45/1999 (OJ L 6, 21.1.1999, p. 3).]
- (12) [<sup>F5</sup>[<sup>F7</sup>OJ L 40, 11.2.1989, p. 1. Directive as amended by Decision 92/10/EEC (OJ L 6, 11.1.1992, p. 35).;]]
- (13) [<sup>F2</sup>OJ L 31, 6.2.2003, p. 3.]
- (14) [<sup>F11</sup>OJ L 184, 17.7.1999, p. 23.]

#### **Textual Amendments**

- F2** Substituted by Council Regulation (EC) No 392/2004 of 24 February 2004 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs.
- F5** Inserted by Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production.
- F7** Substituted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.
- F11** Substituted by Council Regulation (EC) No 806/2003 of 14 April 2003 adapting to Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in Council instruments adopted in accordance with the consultation procedure (qualified majority).

**Status:**

Point in time view as at 25/08/2005.

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EEC) No 2092/91 (repealed).