

Commission Implementing Regulation (EU) 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic certificate of inspection for imported organic products and certain other elements, and Regulation (EC) No 889/2008 as regards the requirements for preserved or processed organic products and the transmission of information (Text with EEA relevance)

Article 2

Amendment of Regulation (EC) No 889/2008

Regulation (EC) No 889/2008 is amended as follows:

- (1) in Article 2, the following points (t) and (u) are added:
 - (t) “preserving” means any action, different from farming and harvesting, that is carried out on products, but which does not qualify as processing as defined in point (u), including all actions referred to in point (n) of Article 2(1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council⁽¹⁾ and excluding packaging or labelling of the product;
 - (u) “processing” means any action referred to in point (m) of Article 2(1) of Regulation (EC) No 852/2004, including the use of substances referred to in Article 19(2)(b) of Regulation (EC) No 834/2007. Packaging or labelling operations shall not be considered as processing.;
- (2) the title of Title II is replaced by the following:
TITLE II RULES ON PRODUCTION, PRESERVATION, PROCESSING, PACKAGING, TRANSPORT AND STORAGE OF ORGANIC PRODUCTS;
- (3) the title of Chapter 3 of Title II is replaced by the following:
CHAPTER 3 *Preserved and processed products;*
- (4) Article 26 is replaced by the following:

Article 26

Rules for preserving products and for the production of processed feed and food

- 1 Operators preserving products or producing processed feed or food shall establish and update appropriate procedures based on a systematic identification of critical processing steps.

The application of those procedures shall guarantee at all times that preserved or processed products comply with the organic production rules.
- 2 Operators shall comply with and implement the procedures referred to in paragraph 1. In particular, operators shall:
 - a take precautionary measures to avoid the risk of contamination by unauthorised substances or products;
 - b implement suitable cleaning measures, monitor their effectiveness and record those measures;

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1842, Article 2. (See end of Document for details)

- c guarantee that non-organic products are not placed on the market with an indication referring to the organic production method.

3 Where non-organic products are also prepared or stored in the preparation unit concerned, the operator shall:

- a carry out the operations continuously until the complete run has been dealt with, separated by place or time from similar operations carried out on non-organic products;
- b store organic products, before and after the operations, separate by place or time from non-organic products;
- c inform the control authority or control body of the operations referred to in points (a) and (b) and keep available an updated register of all operations and quantities processed;
- d take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges with non-organic products;
- e carry out operations on organic products only after suitable cleaning of the production equipment.

4 Additives, processing aids and other substances and ingredients used for processing feed or food and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice.;

(5) in Article 84, the following third paragraph is added:

The importer shall transmit the information referred to in the first and second paragraphs by using the electronic Trade Control and Expert System (TRACES) established by Commission Decision 2003/24/EC⁽²⁾.;

(6) Article 94(1) is amended as follows:

- (a) points (a) and (b) are replaced by the following:
 - (a) by 30 June 2017, the information referred to in Article 35(a) of Regulation (EC) No 834/2007, including email address and internet address, and afterwards any changes thereto;
 - (b) by 30 June 2017, the information referred to in Article 35(b) of Regulation (EC) No 834/2007, including address, email address and internet address, and afterwards any changes thereto.;
- (b) the following point (e) is added:
 - (e) by 30 June 2017, the name, address, email address and internet address of the relevant Member State's competent authorities as defined in point (6) of Article 2 of Regulation (EC) No 1235/2008, and afterwards any changes thereto..

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1842, Article 2. (See end of Document for details)

- (1) Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).’;
- (2) Commission Decision 2003/24/EC of 30 December 2002 concerning the development of an integrated computerised veterinary system (OJ L 8, 14.1.2003, p. 44).’;

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1842, Article 2.