

Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007

CHAPTER IX

**PROCEDURAL, TRANSITIONAL AND FINAL PROVISIONS**

*SECTION 1*

***Procedural provisions***

*Article 54*

**Exercise of the delegation**

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 [<sup>X1</sup>The power to adopt delegated acts referred to in Article 2(6), Article 9(11), Article 10(5), Article 12(2), Article 13(3), Article 14(2), Article 15(2), Article 16(2), Article 17(2), Article 18(2), Article 19(2), Article 21(1), Article 22(1), Article 23(2), Article 24(6), Article 30(7), Article 32(4), Article 33(6), Article 34(8), Article 35(9), Article 36(3), Article 38(8), Article 40(11), Article 44(2), Article 46(7), Article 48(4), Article 53(2), (3) and (4), Article 57(3) and Article 58(2) shall be conferred on the Commission for a period of five years from 17 June 2018.] The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 2(6), Article 9(11), Article 10(5), Article 12(2), Article 13(3), Article 14(2), Article 15(2), Article 16(2), Article 17(2), Article 18(2), Article 19(2), Article 21(1), Article 22(1), Article 23(2), Article 24(6), Article 30(7), Article 32(4), Article 33(6), Article 34(8), Article 35(9), Article 36(3), Article 38(8), Article 40(11), Article 44(2), Article 46(7), Article 48(4), Article 53(2), (3) and (4), Article 57(3) and Article 58(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, CHAPTER IX. (See end of Document for details)*

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6 A delegated act adopted pursuant to Article 2(6), Article 9(11), Article 10(5), Article 12(2), Article 13(3), Article 14(2), Article 15(2), Article 16(2), Article 17(2), Article 18(2), Article 19(2), Article 21(1), Article 22(1), Article 23(2), Article 24(6), Article 30(7), Article 32(4), Article 33(6), Article 34(8), Article 35(9), Article 36(3), Article 38(8), Article 40(11), Article 44(2), Article 46(7), Article 48(4), Article 53(2), (3) and (4), Article 57(3) and Article 58(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### **Editorial Information**

- XI** Substituted by [Corrigendum to Regulation \(EU\) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation \(EC\) No 834/2007 \(Official Journal of the European Union L 150 of 14 June 2018\)](#).

### *Article 55*

#### **Committee procedure**

1 The Commission shall be assisted by a committee called the ‘Organic Production Committee’. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3 Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

4 Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

### *SECTION 2*

#### ***Repeal and transitional and final provisions***

### *Article 56*

#### **Repeal**

Regulation (EC) No 834/2007 is repealed.

However, that Regulation shall continue to apply for the purpose of completing the examination of pending applications from third countries, as provided for in Article 58 of this Regulation.

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References to the repealed Regulation shall be construed as references to this Regulation.

#### *Article 57*

### **Transitional measures relating to control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007**

1 The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire by [<sup>F1</sup>31 December 2024] at the latest.

2 The Commission shall, by means of an implementing act, establish a list of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007, and may amend that list by means of implementing acts.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 55(2).

3 The Commission is empowered to adopt delegated acts in accordance with Article 54 supplementing this Regulation as regards the information to be sent by the control authorities and control bodies referred to in paragraph 2 of this Article which is necessary for the purpose of the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.

#### **Textual Amendments**

- F1** Substituted by [Regulation \(EU\) 2020/1693 of the European Parliament and of the Council of 11 November 2020 amending Regulation \(EU\) 2018/848 on organic production and labelling of organic products as regards its date of application and certain other dates referred to in that Regulation \(Text with EEA relevance\)](#).

#### *Article 58*

### **Transitional measures relating to applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007**

1 The Commission shall complete the examination of applications from third countries which have been submitted under Article 33(2) of Regulation (EC) No 834/2007 and which are pending on 17 June 2018. That Regulation shall apply to the examination of such applications.

2 The Commission is empowered to adopt delegated acts in accordance with Article 54 supplementing this Regulation by laying down the procedural rules necessary for the examination of the applications referred to in paragraph 1 of this Article, including on the information to be submitted by third countries.

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, CHAPTER IX. (See end of Document for details)*

#### Article 59

### **Transitional measures relating to the first recognition of control authorities and control bodies**

By way of derogation from the date of application referred to in the second paragraph of Article 61, Article 46 shall apply from 17 June 2018 insofar as necessary in order to allow a timely recognition of control authorities and control bodies.

#### Article 60

### **Transitional measures for stocks of organic products produced in accordance with Regulation (EC) No 834/2007**

Products produced in accordance with Regulation (EC) No 834/2007 before [<sup>F1</sup>1 January 2022] may be placed on the market after that date until stocks are exhausted.

#### **Textual Amendments**

- F1** Substituted by [Regulation \(EU\) 2020/1693 of the European Parliament and of the Council of 11 November 2020 amending Regulation \(EU\) 2018/848 on organic production and labelling of organic products as regards its date of application and certain other dates referred to in that Regulation \(Text with EEA relevance\)](#).

#### Article 61

### **Entry into force and application**

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

[<sup>F1</sup>It shall apply from 1 January 2022.]

#### **Textual Amendments**

- F1** Substituted by [Regulation \(EU\) 2020/1693 of the European Parliament and of the Council of 11 November 2020 amending Regulation \(EU\) 2018/848 on organic production and labelling of organic products as regards its date of application and certain other dates referred to in that Regulation \(Text with EEA relevance\)](#).

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