

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 VIII

**GENERAL PROVISIONS**

*SECTION 1*

***Free movement of organic and in-conversion products***

*Article 50*

**Non-prohibition and non-restriction of the marketing of organic and in-conversion products**

Competent authorities, control authorities and control bodies shall not, on grounds that relate to the production, labelling or presentation of the products, prohibit or restrict the marketing of organic or in-conversion products subject to control by another competent authority, control authority or control body located in another Member State where those products comply with this Regulation. In particular, no official controls and other official activities other than those under Regulation (EU) 2017/625 shall be performed and no fees for official controls and other official activities other than those provided for in Chapter VI of that Regulation shall be collected.

*SECTION 2*

***Information, reporting and related derogations***

*Article 51*

**Information relating to the organic sector and trade**

1 Each year Member States shall transmit to the Commission the information necessary for the implementation and monitoring of the application of this Regulation. As far as possible, such information shall be based on established sources of data. The Commission shall take into account the data needs and synergies between potential data sources, in particular their use for statistical purposes where appropriate.

2 The Commission shall adopt implementing acts as regards the system to be used for transmitting the information referred to in paragraph 1, the details of information to be transmitted, and the date by which that information is to be transmitted.

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

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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 VIII. (See end of Document for details)*

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## Article 52

### **Information relating to the competent authorities, control authorities and control bodies**

- 1 Members States shall keep a regularly updated list of:
  - a the names and addresses of the competent authorities; and
  - b the names, addresses and code numbers of the control authorities and control bodies.

Member States shall transmit those lists, and any change thereof, to the Commission and make them public, except where such transmission and publication has already taken place in accordance with Article 4(4) of Regulation (EU) 2017/625.

- 2 Based on the information provided for under paragraph 1, the Commission shall regularly publish on the internet an updated list of control authorities and control bodies referred to in point (b) of paragraph 1.

## Article 53

### **Derogations, authorisations and report**

- 1 The derogations from the use of organic plant reproductive material and from the use of organic animals provided in points 1.8.5 of Part I of Annex II and points 1.3.4.3 and 1.3.4.4 of Part II of Annex II, with the exception of point 1.3.4.4.2 of Part II of Annex II, shall expire on [F131 December 2036].

- 2 From [F11 January 2029], based on the conclusions as regards availability of organic plant reproductive material and animals presented in the report provided for in paragraph 7 of this Article, the Commission shall be empowered to adopt delegated acts in accordance with Article 54 amending this Regulation by:

- a ending the derogations referred to in point 1.8.5 of Part I of Annex II and in points 1.3.4.3 and 1.3.4.4 of Part II of Annex II, with the exception of point 1.3.4.4.2 of Part II of Annex II, at an earlier date than [F131 December 2036] or extending them beyond that date; or
- b ending the derogation referred to in point 1.3.4.4.2 of Part II of Annex II.

- 3 From [F11 January 2027], the Commission shall be empowered to adopt delegated acts in accordance with Article 54 amending point (b) of Article 26(2) to extend the scope of the information system referred to in Article 26(2) to pullets and point 1.3.4.3 of Part II of Annex II to base the derogations concerning pullets on the data collected in accordance with this system.

- 4 From [F11 January 2026], the Commission shall be empowered to adopt delegated acts in accordance with Article 54, based on the information as regards availability of organic protein feed for poultry and porcine animals made available by Member States in accordance with paragraph 6 of this Article or presented in the report referred to in paragraph 7 of this Article, ending the authorisations to use non-organic protein feed in the nutrition of poultry and porcine animals referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II at an earlier date than [F131 December 2026] or extending them beyond that date.

- 5 When extending the derogations or authorisations referred to in paragraphs 2, 3 and 4, the Commission shall do so only for as long as it has information, in particular information provided by Member States in accordance with paragraph 6, that confirms the unavailability on the Union market of the plant reproductive material, animal or feed concerned.

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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 VIII. (See end of Document for details)

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6 By 30 June of each year, Member States shall make available to the Commission and to the other Member States:

- a information provided in the database referred to in Article 26(1) and in the systems referred to in Article 26(2) and, if relevant, in the systems referred to in Article 26(3);
- b information on the derogations granted in accordance with point 1.8.5 of Part I of Annex II and points 1.3.4.3 and 1.3.4.4 of Part II of Annex II; and
- c information on the availability on the Union market of organic protein feed for poultry and porcine animals and on the authorisations granted in accordance with points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II.

7 By [<sup>F1</sup>31 December 2026], the Commission shall present a report to the European Parliament and the Council on the availability on the Union market of and, if relevant, on the causes of limited access to:

- a organic plant reproductive material;
- b organic animals covered by the derogations referred to in points 1.3.4.3 and 1.3.4.4 of Part II of Annex II;
- c organic protein feed intended for the nutrition of poultry and porcine animals subject to the authorisations referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II.

In drawing up that report, the Commission shall take into account, in particular, the data collected in accordance with Article 26 and the information relating to the derogations and the authorisations referred to in paragraph 6 of this Article.

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#### 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).

**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 VIII.