
EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations amend the Organic Products Regulations 2004 (S.I.2004/1604), which apply throughout the United Kingdom, and the Environmental Stewardship (England) Regulations 2005 (S.I. 2005/621) which only apply in England.

The Organic Products Regulations 2004 provide for the administration, execution and enforcement of Council Regulation (EEC) No. 2092/91, as amended, (OJ No. L198, 22.7.91, p.1) on the organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (“the Council Regulation”) and of the Commission Regulations supplementing that Regulation. The Environmental Stewardship (England) Regulations 2005 establish a scheme under which, in return for complying with certain requirements and conditions, farmers become entitled to grants.

The amendments to the Organic Products Regulations 2004 are as follows:

- (a) the definition of “the Council Regulation” is amended to refer to the latest amending instrument, namely Commission Regulation (EC) 2254/2004 (OJ No. L385, 29.12.2004, p.20) (regulation 2(a)(ii));
- (b) the reference to the Compendium of UK Organic Standards, May 2004 edition, in the definition of “specified Community provisions” is replaced with a reference to the Compendium of UK Organic Standards, July 2005 Edition (regulation 2(a)(iii));
- (c) insertion of a provision stating that certain operators will be exempted from Article 8 (Inspection System) as is permitted by the Council Regulation as amended by Council Regulation (EC) No 392/2004 (OJ No. L65, 03.03.2004, p.1) amending Regulation (EEC) No 2092/91 on the organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs (regulation 2(b));
- (d) the definition of the term “business” is amended to exclude certain previously specified public authorities (regulation 2(a)(i)); and
- (e) regulation 10(3) is omitted (regulation 2(c)).

The Environmental Stewardship (England) Regulations 2005 are amended to replace the definition of the Compendium of UK Organic Standards as meaning the Compendium of UK Organic Standards, May 2004 Edition with a reference to the Compendium of UK Organic Standards, July 2005 Edition.

The Compendium of UK Organic Standards, July 2005 Edition, is published by the Department for Environment, Food and Rural Affairs and a copy can be inspected, during normal office hours, at Ergon House (Organic Farming and Industrial Crops Division), Horseferry Road, London SW1P 2AL (telephone 020 7238 5605; fax number 020 7238 6148; email organic.standards@defra.gsi.gov.uk; website www.defra.gov.uk/farm/organic).

A regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.