
STATUTORY INSTRUMENTS

2021 No. 1266

The Organics (Equivalence and Control Bodies Listing) (Amendment) Regulations 2021

Commission Regulation (EC) No 1235/2008

4.—(1) [Commission Regulation \(EC\) No 1235/2008](#), laying down detailed rules for implementation of [Council Regulation \(EC\) No 834/2007](#) as regards the arrangements for imports of organic products from third countries is amended as follows.

(2) In Article 2, after paragraph 13 insert—

“14. ‘Article 3 list’ means the list of control bodies and control authorities for the purpose of compliance and relevant specifications referred to in Article 3;

15. ‘Article 7 list’ means the list of third countries and relevant specifications referred to in Article 7;

16. ‘Article 10 list’ means the list of control bodies and control authorities for the purpose of equivalence and relevant specifications referred to in Article 10.”

(3) In Article 3—

(a) in paragraph 1, for the final sentence substitute “The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the control bodies and control authorities and other information falling within paragraph 2 listed in Annex 1 of this Regulation, as that Annex had effect immediately before it was revoked.”;

(b) at the end of paragraph 2, insert—

“The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.”.

(4) In Article 4(5), for the final sentence substitute “If the Secretary of State decides to do so, the Secretary of State must notify the control body or control authority of this decision.”.

(5) In Article 5(2) omit “, by regulations,”.

(6) In Article 7—

(a) in paragraph 1—

(i) for the second sentence substitute “The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the third countries and other information falling within paragraph 2 listed in Annex 3 of this Regulation, as that Annex had effect immediately before it was revoked, with the exception of the date by which the recognition of equivalence of the European Union is to be reassessed, which must be entered as 31 December 2023.”;

(ii) in the final sentence, for the words from “in accordance with” to the end substitute “from time to time”;

(b) at the end of paragraph 2, insert—

“The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.”.

- (7) In Article 8(4)—
- (a) after the first sentence insert “If the Secretary of State decides to do so, the Secretary of State must notify the third country of this decision.”;
 - (b) for the second subparagraph substitute “In that case the Secretary of State must cause the duration of the extension to be entered on the list, and must notify the third country of this decision.”.
- (8) In Article 9(2) omit “, by regulations,”.
- (9) In Article 10—
- (a) in paragraph 1—
 - (i) for the second sentence substitute “The Secretary of State must make the list available to the public on the internet. For transitional purposes, the Secretary of State must add to the list the names of the control bodies and control authorities and other information falling within paragraph 2 listed in Annex 4 of this Regulation, as that Annex had effect immediately before it was revoked.”;
 - (ii) for the final sentence substitute “The Secretary of State must make amendments to the list available to the public on the internet from time to time.”;
 - (b) at the end of paragraph 2 insert—

“The Secretary of State may make amendments to the information contained in the list from time to time to ensure that it remains accurate and up-to-date.”.
- (10) In Article 11(5), for the final sentence substitute “If the Secretary of State decides to do so, the Secretary of State must notify the control body or control authority of this decision.”.
- (11) In Article 12(2)—
- (a) in the text before subparagraph (a) omit “, by regulations,”;
 - (b) in the text after subparagraph (f), omit “, by regulations,”.
- (12) In Article 13—
- (a) in paragraph 3—
 - (i) in subparagraph (a), for “Annex III to this Regulation” substitute “the Article 7 list”;
 - (ii) in subparagraph (b), for “Annex IV to this Regulation” substitute “the Article 10 list”;
 - (b) in paragraph 4—
 - (i) in the second subparagraph—
 - (aa) for “Annex III”, in the first place it occurs, substitute “the Article 7 list”;
 - (bb) for “that Annex” substitute “the Article 7 list”;
 - (cc) for “Annex IV” substitute “the Article 10 list”;
 - (dd) for “Annex III or IV” substitute “the Article 7 list or the Article 10 list”;
 - (ii) in the third subparagraph, for “Annex IV” substitute “the Article 10 list”;
 - (c) in paragraph 8, for “Annex 4 of this Regulation” substitute “the Article 10 list”;
 - (d) in paragraph 9, for “Annex 4 of this Regulation” substitute “the Article 10 list”.
- (13) In Article 13c, in the first paragraph, for “Annex III or IV to this Regulation” substitute “the Article 7 list or the Article 10 list”.
- (14) Omit Article 17a.

(15) Omit Annexes 1, 3 and 4.