

**Organic production and labelling of organic products \*\*\*I**

**European Parliament legislative resolution of 4 July 2012 on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 834/2007 on organic production and labelling of organic products (COM(2010)0759 – C7-0001/2011 – 2010/0364(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0759),
  - having regard to Article 294(2) and Article 42 and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0001/2011),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 4 May 2011<sup>1</sup>,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development (A7-0215/2011),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C 218, 23.7.2011, p. 122.

**Position of the European Parliament adopted at first reading on 4 July 2012 with a view to the adoption of Regulation (EU) No ..../2012 of the European Parliament and of the Council amending Council Regulation (EC) No 834/2007 on organic production and labelling of organic products**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 42 and Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Acting in accordance with the ordinary legislative procedure<sup>2</sup>,

Whereas:

- (1) Council Regulation (EC) No 834/2007<sup>3</sup> confers powers on the Commission in order to implement some of the provisions of that Regulation.
- (2) As a consequence of the entry into force of the Lisbon Treaty, the powers conferred upon the Commission under Regulation (EC) No 834/2007 need to be aligned to Articles 290 and 291 of the Treaty on the Functioning of the European Union (the Treaty).

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<sup>1</sup> OJ C 218, 23.7.2011, p. 122.

<sup>2</sup> Position of the European Parliament of 4 July 2012.

<sup>3</sup> OJ L 189, 20.7.2007, p.1.

- (3) ~~The Commission should have~~ *In order to ensure the proper functioning of the regime established by Regulation (EC) No 834/2007, the power to adopt delegated acts in accordance with Article 290 of the Treaty in order to supplement or amend on the Functioning of the European Union should be delegated to the Commission in respect of supplementing or amending* certain non-essential elements of Regulation (EC) No 834/2007. ~~The elements for which that power may be exercised should be defined, as well as the conditions to which that delegation is to be subject.~~ *It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.* [Am. 1]

- (4) In order to guarantee a *to ensure* uniform application *conditions for the implementation* of Regulation (EC) No 834/2007 *implementing powers should be conferred on* in all Member States, the Commission should be empowered to adopt ~~implementing acts in accordance with Article 291 of the Treaty. The Commission should in particular be empowered to adopt implementing acts regarding the attribution of code numbers under the control regime, the indication of origin for the products and uniform rules on the exchange of information to be sent by Member States, third countries, control authorities and control bodies or made available by the Commission or the publication of that information, as well as for the recognition of third countries and control authorities and control bodies for the purposes of equivalence and compliance. Save where explicitly provided otherwise, the Commission should adopt those implementing acts in accordance with the provisions of [Regulation (EU) No XX/XXXX of the European Parliament and the Council on ...].~~ *Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>1</sup>. In the context of preparatory work on the implementing acts, the Commission should continue to make use of advisory groups so that interested parties and NGOs can express themselves on a regular and structured basis. [Am. 2]*

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<sup>1</sup> OJ L 55, 28.2.2011, p. 13.

*(4a) The Commission should adopt immediately applicable implementing acts where imperative grounds of urgency so require in duly justified cases relating to the withdrawal of the recognition of the control authorities and control bodies in cases of irregularities or infringements of the provisions set out in the Regulation (EC) No 834/2007 or relating to the withdrawal of the recognition of third countries whose system of production no longer complies with principles and production rules equivalent to those laid down in that Regulation and whose control measures are no longer of equivalent effectiveness to those laid down in that Regulation.*

*[Am. 3]*

*(4b) The process of alignment to the Treaty of Lisbon should seek to achieve the aim of simplifying all Union legislation enacted for the sector, with a view to relieving organic farmers of the burden of unnecessary red tape. [Am. 4]*

- (5) In the interest of clarity, the wording of the references to the European Standard EN 45011 or ISO Guide 65 should be harmonised with other relevant Union acts.
- (6) Regulation (EC) No 834/2007 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 834/2007 is amended as follows:

- (1) Article 8 is replaced by the following:

"Article 8

General requirements

Operators shall comply with the production rules set out in this Title and with the specific production rules and the measures and conditions necessary for their implementation, adopted by the Commission by means of delegated and implementing acts pursuant to Articles 38a and 38b."

(2) In Article 9, paragraph 4 is replaced by the following:

"4. The Commission shall, ~~by means of delegated acts pursuant to~~ ***be empowered, for the purpose of the prohibition referred to in paragraph 1, to adopt delegated acts, in accordance with Article 38a(1),*** ~~decide on measures implementing the prohibition on the use of GMOs and~~ ***concerning the establishment of a model for vendor declarations confirming that the*** products ***supplied have not been*** produced from or by GMOs."

[Am. 5]

(3) In Article 11, the second paragraph is replaced by the following:

"However, in accordance with specific conditions to be laid down by the Commission by means of delegated acts pursuant to Article 38a(1), a holding may be split up into clearly separated units or aquaculture production sites which are not all managed under organic production. As regards animals, different species shall be involved. As regards aquaculture the same species may be involved, provided that there is adequate separation between the production sites. As regards plants, different varieties that can be easily differentiated shall be involved."

- (4) In Article 12, paragraph 3 is deleted.
- (5) In Article 13, paragraph 3 is deleted.
- (6) In Article 14, paragraph 2 is deleted.
- (7) In Article 15, paragraph 2 is deleted.
- (8) Article 16 is amended as follows:

(a) In paragraph 1, the introductory part is replaced by the following:

"1. The Commission shall, by means of delegated acts pursuant to Article 38a(1)(a)(ii), authorise for use in organic production and include in a restricted list the products and substances, which may be used in organic farming for the following purposes:";



(b) In paragraph 3, point (a) is replaced by the following:

"(a) The Commission may, by means of delegated acts pursuant to Article 38a(2)(a), fix limits as regards the agricultural products to which the products and substances referred to in paragraph 1 of this Article can be applied to, and, if necessary, decide on the withdrawal of those products and substances.";

(c) In paragraph 3, point (c) is replaced by the following:

"(c) Products and substances used before the adoption of this Regulation for purposes corresponding to those laid down in paragraph 1 of this Article may continue to be used after said adoption. The Commission may in any case withdraw such products or substances by means of delegated acts pursuant to Article 38a(1)(a)(ii) in accordance with the conditions to be adopted by means of delegated acts pursuant to Article 38a(2)(a).".

- (9) In Article 17, paragraph 2 is deleted.
- (10) In Article 18, paragraph 5 is deleted.
- (11) In Article 19(3), the second subparagraph is deleted.
- (12) In Article 20, paragraph 3 is deleted.
- (13) In Article 21, paragraph 2 is replaced by the following:

"2. The Commission shall, by means of delegated acts pursuant to Article 38a(1)(a)(ii), decide on the authorisation of the products and substances and their inclusion in the restricted list referred to in paragraph 1 of this Article and, if necessary on the withdrawal of products from that list, and shall, by means of delegated acts pursuant to Article 38a(2)(a), fix limits to be applied as regards their use.

Where a Member State considers that a product or substance should be added to, or withdrawn from the list referred to in paragraph 1, or that the specifications of use mentioned in this paragraph should be amended, the Member State shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the Member States.

Requests for amendment or withdrawal, as well as decisions thereon, shall be published. Products and substances used before the adoption of this Regulation and falling under Article 19(2)(b) and (c) may continue to be used after the said adoption. The Commission may in any case withdraw such products by means of delegated acts pursuant to Article 38a(1)(a)(ii) in accordance with the conditions to be adopted by means of delegated acts pursuant to Article 38a(2)(a).".

(14) Article 22 is amended as follows:

(a) Paragraph 1 is replaced by the following:

"1. The Commission may, by means of delegated acts pursuant to Article 38a(2)(c) and in accordance with the conditions set out in paragraph 2 of this Article and subject to the objectives and principles laid down in Title II, provide for the granting of exceptions from the production rules laid down in Chapters 1 to 4.";

(b) Paragraph 3 is deleted.

(15) In Article 23, paragraph 6 is replaced by the following:

"6. The Commission may, by means of delegated acts pursuant to Article 38a(2)(e), adapt the list of terms set out in the Annex."

(16) Article 24 is amended as follows:

(a) Paragraph 1 is amended as follows:

(i) Points (b) and (c) of the first subparagraph are replaced by the following:

"(b) the organic production logo of the European Union referred to in Article 25(1) as regards pre-packaged food shall also appear on the packaging;

(c) where the organic production logo of the European Union referred to in Article 25(1) is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed, shall also appear in the same visual field as the logo and shall take one of the following forms, as appropriate:

- ‘EU Agriculture’, where the agricultural raw material has been farmed in the Union,
- ‘non-EU Agriculture’, where the agricultural raw material has been farmed in third countries,
- ‘EU/non-EU Agriculture’, where part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.";

(ii) The fifth subparagraph is replaced by the following:

"The use of the organic production logo of the European Union referred to in Article 25(1) and the indication referred to in the first subparagraph of this paragraph shall be optional for products imported from third countries. However, where the organic production logo of the European Union referred to in Article 25(1) appears in the labelling, the indication referred to in the first subparagraph of this paragraph shall also appear in the labelling.";

(b) Paragraph 3 is deleted.

(17) Article 25 is amended as follows:

(a) Paragraph 1 is replaced by the following:

"1. The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which satisfy the requirements set out in this Regulation.

The organic production logo of the European Union shall not be used in the case of in-conversion products and food as referred to in Article 23(4)(b) and (c).";

(b) Paragraph 3 is deleted.

(18) In Article 26, the introductory part is replaced by the following:

"The Commission shall, by means of delegated acts pursuant to Article 38a(1)(b), establish specific labelling and composition requirements applicable to:".

(19) Article 27 is amended as follows:

(a) Paragraph 2 is replaced by the following:

"2. In addition to the conditions laid down in Regulation (EC) No 882/2004, the control system set up under this Regulation shall comprise at least the application of precautionary and control measures.";

(b) In paragraph 5, point (c) is replaced by the following:

"(c) the control body is accredited to the most recent version of European Standard EN 45011 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;"

(c) In paragraph 7, point (b) is replaced by the following:

"(b) the competence to grant exceptions, as referred to in Article 22, unless this is provided for in the specific conditions laid down by the Commission by means of delegated acts pursuant to Article 38a(2)(c).".



(20) In Article 28, paragraph 6 is deleted.

(21) In Article 29, paragraph 3 is deleted.

(22) In Article 30(2), the third subparagraph is deleted.

(23) Article 32(2) is amended as follows:

(a) The first two subparagraphs are replaced by the following:

"The Commission shall, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), recognise the control authorities and control bodies referred to in paragraph 1(b) of this Article, including control authorities and control bodies as referred to in Article 27, which are competent to carry out controls and to issue the documentary evidence referred to in paragraph 1(c) of this Article in third countries.

The control bodies shall be accredited to the most recent version of European Standard EN 45011 or ISO Guide 65 (General requirements for bodies operating product certification systems). The control bodies shall undergo regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities by the accreditation body.";

(b) The following subparagraphs are added:

"The Commission may, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), withdraw the recognition of the control authorities and control bodies in cases of irregularities or infringements of the provisions set out in this Regulation.

~~If necessary in cases~~ ***On duly justified imperative grounds*** of urgency, the Commission may ~~take that Decision acting~~ ***adopt immediately applicable implementing acts*** in accordance with the second paragraph of ~~Article 38g~~. In that case, ~~the measures adopted shall be communicated forthwith to the Members States and shall take effect immediately.~~ ***the procedure referred to in Article 38g(3).***"

[Am. 6]

(24) Article 33 is amended as follows:

(a) Paragraph 2 is amended as follows:

(i) The first subparagraph is replaced by the following:

"The Commission may, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), recognise the third countries whose system of production complies with principles and production rules equivalent to those laid down in Titles II, III and IV and whose control measures are of equivalent effectiveness to those laid down in Title V. The assessment of equivalency shall take into account *Codex Alimentarius* guidelines CAC/GL 32.";

- (ii) The following subparagraphs are added:

"The Commission may, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), withdraw the recognition of third countries whose system of production no more complies with principles and production rules equivalent to those laid down in Titles II, III and IV and whose control measures are no more equivalent effectiveness to those laid down in Title V.

~~If necessary in cases~~ ***On duly justified imperative grounds*** of urgency, the Commission may ~~take that Decision acting~~ ***adopt immediately applicable implementing acts*** in accordance with ~~the second paragraph of Article 38g. In that case, the measures adopted shall be communicated forthwith to the Member States and shall take effect immediately.~~ ***the procedure referred to in Article 38g(3).***"

[Am. 7]

(b) Paragraph 3 is amended as follows:

(i) The first subparagraph is replaced by the following:

"For products not imported under Article 32 and not imported from a third country which is recognised under paragraph 2 of this Article, the Commission may, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), recognise the control authorities and control bodies, including control authorities and control bodies as referred to in Article 27, competent to carry out controls and issue certificates in third countries for the purpose of paragraph 1 of this Article. The assessment of equivalency shall take into account *Codex Alimentarius* guidelines CAC/GL 32.";

(ii) The following subparagraphs are added:

"The Commission may, by means of implementing acts pursuant to Article 38b(f), in accordance with the criteria to be adopted by means of delegated acts pursuant to Article 38a(1)(c)(v), withdraw the recognition of the control authorities and control bodies in cases of irregularities or infringements of the provisions set out in this Regulation.

~~If necessary in cases~~ ***On duly justified imperative grounds*** of urgency, the Commission may ~~take that Decision acting~~ ***adopt immediately applicable implementing acts*** in accordance with ~~the second paragraph of Article 38g. In that case, the measures adopted shall be communicated forthwith to the Members States and shall take effect immediately~~ ***the procedure referred to in Article 38g(3).***"

**[Am. 8]**

(25) The following Article 36a is inserted:

"Article 36a

Publication and notification

The Commission shall in accordance with the rules to be adopted by means of implementing acts pursuant to Article 38b(b) establish, publish, make available or diffuse the information to be identified by means of implementing acts pursuant to Article 38b(a), as well as the lists of third countries and control authorities and control bodies recognised in accordance with Articles 32 and 33."

(26) Articles 37 and 38 are deleted.

(27) The following Articles are inserted:

"Article 38a

Delegated powers

1. In order to better take account of the expectations of consumers regarding the quality of organic products and to ensure the adequate application of rules by the authorities, bodies and operators concerned and the proper functioning of the single market and trade, the Commission shall, ~~by means of~~ ***be empowered to adopt*** delegated acts, ~~adopt~~ ***in accordance with Article 38d, concerning the adoption of*** specific rules, measures and conditions necessary for the application of this Regulation, including the specific definitions related to its scope, subject to the objectives and principles laid down in Title II, for the following: **[Am. 9]**

- (a) the production rules laid down in Title III, in particular:
  - (i) the specific requirements, conditions and conversion periods to be respected by operators;
  - (ii) the authorisation of products and substances for use in organic production, their inclusion in a restricted list or the withdrawal from that list for the purposes of Articles 16 and 21;
  - (iii) the processing methods for processed food;
  - (iv) the conditions of application of the prohibition on the use of GMOs and products produced from or by GMOs;
  - (v) the definition of the periods referred to in Article 17(1)(c) to (f).
- (b) the labelling rules, requirements and specific criteria as regards presentation, composition, size and design of the organic logo of the European Union as well as the conditions and rights of its use, in accordance with Title IV;



- (c) the control systems established under Titles V and VI, in particular:
  - (i) the control requirements, supervision and audit procedures,
  - (ii) the criteria for approval of control bodies for the purposes of Article 27,
  - (iii) the specific criteria for delegation of tasks to the control bodies referred to in point (ii),
  - (iv) the form of the documentary evidence,
  - (v) the criteria to be applied as regards the recognition of third countries for the purposes of Article 33(2) and as regards the recognition of control authorities and control bodies for the purposes of Article 32(2) and Article 33(3),

- (vi) the criteria to be applied as regards the withdrawal of approval or recognition and of documentary evidence, including the cases for which the Commission may act as a matter of urgency in accordance with the second paragraph of Article 38g.
  - (vii) the criteria to be applied as regards the identification and publicising of an undertaking submitted to the control system,
  - (viii) the rules to be applied for placing products from third countries on the Union market as organic;
- (d) the free movement of organic products.

2. In order to take account of the technical development and the specificities of the sector, the Commission may, by means of delegated acts and subject to the objectives and principles laid down in Title II, adopt rules necessary for the application of this Regulation for the following:

- (a) the authorisation, limitation, restriction or prohibition of specific techniques for the purposes of Articles 12 to 16, 18, 19 and 20 and the conditions and limits as regards use of substances and products and their withdrawal, in particular the application method, the dosage, the time limits for use and the contact with agricultural products;
  - (b) the specific production rules for yeast;
  - (c) the granting of exceptions from production rules and specific conditions for the application of those exceptions for the purposes of Article 22;
  - (d) the transitional measures to facilitate the transition from the rules established by Regulation (EEC) No 2092/91 to this Regulation;
  - (e) the adaptation of the list of terms set out in the Annex.
3. In order to ensure transparency by fast, efficient, accurate and cost effective exchange of information, the Commission shall by means of delegated acts define:

- (a) the nature and type of information to be notified;
- (b) the methods of notification of the information;
- (c) the rules related to the access rights to the information or information systems made available;
- (d) the means of publication of the information.

#### Article 38b

##### Implementing powers

1. The Commission shall, by means of implementing acts, ***in accordance with the examination procedure referred to in Article 38g(2)***, adopt the necessary provisions aiming at reaching a uniform application of this Regulation in the Union, in particular relating to the following: **[Am. 10]**

- (a) details and specifications regarding the content, form and way of notification, submission and exchange of information required in the framework of this Regulation:
  - (i) from the operators, in particular with regard to the information included in the submission and notification referred to in Article 28(1) and Article 29(1),
  - (ii) from or between the control bodies, control authorities, competent authorities of the Member States, third countries and the Commission, in particular in accordance with Articles 22, 30 to 33, 35 and 36;
- (b) conditions and means of publication or specific rules and conditions for the diffusion or making available by the Commission to the operators, the competent authorities, control authorities and control bodies and to the Member States or third countries the information referred to in point (a) and the lists of third countries or control authorities and control bodies designated pursuant to Article 27 or recognised pursuant to Articles 32 and 33;

- (c) the methods and conditions to be taken into account as regards the electronic certification, in particular for the certificates referred to in Article 29 and Article 33(1) (d);
- (d) the attribution of code numbers to control bodies and control authorities and the indication of the place where the agricultural raw materials have been farmed in accordance with Article 24;
- (e) the specific criteria as regards the presentation, composition and size of the indications referred to in Article 24(1)(a) and (c);
- (f) the recognition and withdrawal of third countries and control authorities and control bodies for the purposes of Article 32(2) and Article 33(2) and (3).

***1a. On duly justified imperative grounds of urgency, relating to the withdrawal of the recognition of the control authorities and control bodies in cases of irregularities or infringements of the provisions set out in this Regulation or relating to the withdrawal of the recognition of third countries whose system of production no longer complies with principles and production rules equivalent to those laid down in Title II, III and IV or whose control measures are no longer of equivalent effectiveness to those laid down in Title V, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 38g(3). [Am. 11]***

Article 38c

Commission powers

Where powers are conferred upon the Commission, it shall act in accordance with the procedure referred to in Article 38d in the case of delegated acts and in accordance with the procedure referred to in Article 38g in the case of implementing acts, save where explicitly provided otherwise in this Regulation.

## Article 38d

### Exercise of the delegation

1. The powers ~~power~~ to adopt the delegated acts referred to in this Regulation shall be ~~is~~ conferred on the Commission for an indeterminate period of time. *subject to the conditions laid down in this Article.*
2. ~~As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.~~ *The power to adopt delegated acts referred to in Article 9(4), Article 11, Article 16(1), points (a) and (c) of Article 16(3), Article 21(2), Article 22(1), Article 23(6), Article 26, point (b) of Article 27(7), Article 32(2) and Article 33(2) and (3) shall be conferred on the Commission for a period of five years from ...<sup>+</sup>. The Commission shall draw up a report in respect of the delegation of power not 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.*

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<sup>+</sup> *Date of entry into force of this Regulation*



3. ~~The powers to adopt delegated acts are conferred on the Commission subject to the conditions laid down in Articles 38e and 38f.~~ *The delegation of power may be revoked at any time by the European Parliament or by the Council. The decision to revoke shall put an end to the delegation of the powers specified in that decision. It shall take effect 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.*
- 3a. *As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*

**3b.           *A delegated act adopted pursuant to this Regulation shall enter into force only if no objection has been expressed either by the Parliament or 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.***  
**[Am. 12]**

~~"Article 38e~~

~~Revocation of the delegation~~

~~1. — The delegation of power referred to in *Article 38a and 38d* may be revoked by the European Parliament or by the Council.~~

2. — ~~The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.~~

3. — ~~The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the *Official Journal of the European Union*.~~"

[Am. 13]

~~"Article 38f~~

~~Objections to delegated acts~~

1. — ~~The European Parliament and the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.~~

2. — ~~If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the *Official Journal of the European Union* and shall enter into force at the date stated therein.~~

— ~~The delegated act may be published in the *Official Journal of the European Union* and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.~~

3. — ~~If the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act." [Am. 14]~~

Article 38g

Implementing acts – Committee of organic production

1. ~~Where implementing acts are adopted pursuant to this Regulation, the Commission shall be assisted by the Committee on organic production. and the procedure provided for in Article [5] of Regulation (EU) No [xxxx/yyyy] (to be completed following the adoption of the regulation on control mechanisms, as referred to in Article 291(2) of the TFEU, currently the subject of discussion by the European Parliament and the Council) shall apply."~~ ***That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council, of 16 February 2011, laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers\*.***
2. ~~In the cases of urgency provided for in ***Article 32(2) and Article 33(2) and (3)*** of this Regulation, the procedure provided for in Article [6] of Regulation (EU) No [xxxx/yyyy] shall apply."~~ ***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.*

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*\* OJ L 55, 28.2.2011, p. 13."*

**[Am. 15]**

(28) Article 41 is amended as follows:

(a) The title is replaced by the following:

"Report to the European Parliament and the Council"

(b) Paragraph 1 is replaced by the following:

"1. By 31 December 2011, the Commission shall submit a report to the European Parliament and the Council."

### *Article 1a*

*The Commission shall evaluate the effects of the amendments made to Regulation (EC) No 834/2007 by this Regulation, with particular regard to transparency and the impact on civil society, three years after ...\*.*

*Important stakeholders and representatives of civil society shall be included in this evaluation process. [Am. 16]*

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*\* Date three years after the entry into force of this Regulation.*

## *Article 2*

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at [...],

*For the European Parliament*  
The President

*For the Council*  
The President