



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 April 2006

DS 288/06

PRESIDENCY NOTE

for : Working Party on Foodstuff Quality (Organic Farming)

dated : 20 April 2006

Subject : Proposals for Council Regulations

- on organic production and labelling of organic products

- amending Regulation (EE) no. 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs

Delegations will find attached hereafter in the Annex drafting suggestions from the Presidency on titles I, II, III, VI and VII of the Proposal for a Council Regulation on organic production and labelling of organic products.

Drafting suggestions for titles IV and V will be sent in due course.

TITLE I
SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1
Subject matter and scope

1. This Regulation provides the basis for the sustainable development of organic production while ensuring the effective functioning of the internal market, guaranteeing fair competition, ensuring consumer confidence and protecting consumer interests, including avoiding misleading labelling and other forms of consumer information.

It establishes common objectives and principles to underpin the rules set out under this Regulation concerning :

- (a) all stages of production, processing and distribution of organic products
 - (b) the use of indications referring to organic production in labelling and advertising.
2. This Regulation shall apply to the following products originating from agriculture, including aquaculture, where such products are placed on the market or intended to be placed on the market:
- (a) live or unprocessed agricultural products ;
 - (b) processed agricultural products for use as food ;
 - (c) feed;

The products of hunting and fishing of wild animals shall not be considered as organic products.

In addition to subparagraph 1 it shall also apply to yeasts used as food

3. This Regulation shall apply to any operator involved in activities at any stage of production, processing and distribution of products as set out in Article 1 (2), including labelling and advertising.

Article 2
Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'organic production' means the use of the organic production methods in compliance with the rules established in this Regulation; at all stages of production, processing and distribution;
- (aa) "stages of production, processing and distribution" means any stage from and including the primary production of an agricultural product up to and including its storage, transport, sale or supply to the final consumer, including import, export and subcontracting activities;
- (b) 'organic product' means an [agricultural] product coming from organic production;
- (bb) "operator" means the natural or legal persons responsible for ensuring that the requirements of this Regulation are met within the sphere of their activities;
- (c) 'plant production' means production of agricultural crop products including harvesting of wild plant products for commercial purposes;
- (d) 'livestock production' means the production of domestic or domesticated terrestrial animals (including insects);
- [(e) 'aquaculture' means the rearing or cultivation of aquatic organisms using techniques designed to increase the production beyond the natural capacity of the environment, where the organisms remain the property of a natural or legal person throughout the rearing or cultivation stage, up to and including harvesting;]
- (f) 'conversion' means the transition from non organic to organic farming;
- [(g) 'preparation' means the operations of preserving and/or processing of organic products (including slaughter and cutting for livestock products), and also packaging and/or alterations made to the labelling concerning the organic production method;]
- (h) the definitions of 'food', 'feed' and 'placing on the market' given in Regulation (EC) No 178/2002 shall apply
- (i) 'labelling' means any words, particulars, trade marks, brand name, pictorial matter or symbol relating to and placed on any packaging, document, notice, label, ring or collar accompanying or referring to a product
- (j) 'advertising' means any operation which is designed to induce economic operators or consumers to buy the relevant product;
- (k) the definitions of 'competent authority' and 'control body' given in Regulation (EC) No 882/2004 shall apply;

- (l) 'certificate' means a written confirmation issued by a competent authority or a control body that an operator or a specific lot of products is found to comply with the principles and rules applicable to organic production;
- (m) 'mark of conformity' means the assertion of conformity to a particular set of standards or other normative documents in the form of a mark;
- [(n) 'ingredients' has the meaning given by Article 6(4) of Directive 2000/13/EC of the European Parliament and of the Council¹];
- (o) 'plant protection products' means products as defined in Article 2, point 1 of Council Directive 91/414/EEC²;
- (p) 'genetically modified organism (GMO)' means an organism as defined in Article 2 of Directive 2000/18/EC of the European Parliament and of the Council³;
- (q) 'produced from GMOs' means derived in whole or in part, from GMOs but not containing or consisting of GMOs;
- [(r) ' [produced by GMOs' means]
- (s) 'feed additives' means products as defined in Article 2(a) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council⁴;
- (t) 'equivalent' in describing different systems or measures, means that they are capable of meeting the same objectives and principles.
- (u) 'processing aid' means any substance not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or their ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the unintentional but technically unavoidable presence of residues of the substance or its derivatives in the final product, provided that these residues do not present any health risk and do not have any technological effect on the finished product.
- (v) [ionising radiation means the transfer of energy in the form of particles or electromagnetic waves capable of producing ions directly or indirectly].

¹ OJ L 109, 6.5.2000, p. 29.

² OJ L 230, 19.8.1991, p. 1.

³ OJ L 106, 17.4.2001, p. 1.

⁴ OJ L 268, 18.10.2003, p. 29.

TITLE II

OBJECTIVES AND PRINCIPLES FOR ORGANIC PRODUCTION

Article 3

Objectives

The organic production system shall pursue the following objectives:

- (a) to establish a sustainable management system for agriculture that:
 - (i) respects nature's systems and cycles and sustain and enhance the health of soils, plants and animals;
 - (ii) contributes to a high level of biological diversity
 - (iii) makes responsible use of the natural resources, such as water, soil, organic matter and air;
 - (iv) respects high animal welfare standards and in particular meet animals' species-specific behavioural needs.
- (b) to aim at producing products of high quality instead of maximising production.
- (c) to aim at producing a wide variety of foods and other agricultural products that responds to consumers' demand for goods produced by use of natural processes, or processes that are comparable to natural processes, and naturally occurring substances that do not harm the environment, plant health or animal health and welfare.

Article 4

Overall principles

Organic production shall be based on the following principles:

- (a) the appropriate design and management of biological processes based on ecological systems using system-internal natural resources by methods that:
 - (i) use living organisms and mechanical production methods;
 - (ii) practice land-related terrestrial crop cultivation and animal production
 - (iii) exclude the use of ionising radiation for treating organic products
 - (iv) are based on risk assessment, precautionary measures in view of uncertainties and preventive measures to enhance health, to avoid introduction of pathogens and to reduce the risk of contamination and the need of intervention

- (b) restricting the use of external inputs of any type. Where they are required they are limited to;
 - (i) inputs from other organic production systems;
 - (ii) natural or naturally-derived substances;
 - (iii) low solubility mineral fertilizers.
- (c) the strictly limiting the use of chemically synthesised inputs to the following exceptional cases where;
 - (i) appropriate systems management practices do not exist;
 - (ii) biological or mechanical practices, or natural or naturally derived substances are not available on the market in organic form;
- (d) where necessary adapting, within the frame of this Regulation, the rules of organic production take account of regional differences in climate and to local conditions, stages of development and specific husbandry practices.

Article 5

Principles applicable to farming

In addition to the overall principles set out in Article 4, organic farming shall be based on the following principles:

- (a) maintaining and enhancing soil live and natural soil fertility, preventing and combatting soil erosion, and nourishing plants primarily through the soil ecosystem ;
- (b) minimising the use of non-renewable resources and off-farm inputs ;
- (c) recycling wastes and by-products of plant and animal origin as input in plant and livestock production or, as appropriate, for energy production from biomass;
- (d) taking account of the local or regional ecological balance when taking production decisions;
- (e) maintaining animal and plant health by preventative techniques including selection of appropriate breeds and varieties;
- (f) obtaining feed for livestock primarily from the holding where the animals are kept or other organic farms in the same region;
- (g) observing the highest possible level of animal welfare;

- (h) producing products of organic livestock production from animals that since birth or hatching and throughout their life have been raised on organic holdings;
- (i) choosing breeds having regard to the capacity of animals to adapt to local conditions, their vitality and their resistance to disease or health problems;
- (j) feeding livestock with organic feed composed of agricultural ingredients from organic farming and of natural non-agricultural substances;
- (k) applying animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to pasture for terrestrial animals, ;
- (l) excluding rearing artificially induced polyploid animals.
- (m) maintaining as regards aquaculture production the biodiversity of natural aquatic ecosystems, the health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystem;
- (n) feeding aquatic organisms with feed from sustainable fisheries or with organic feed composed essentially of agricultural ingredients from organic farming and of natural non-agricultural substances;

Article 6

Principles applicable to processing

In addition to the overall principles set out in Article 4, the production of processed organic feed and food shall be based on the following principles:

- (a) producing organic food and feed [essentially] from organic agricultural ingredients , except where an organic ingredient is not available on the market in organic form;
- (b) restricting the use of additives and processing aids to a minimum extent and only in case of essential or nutritional technological need, or as appropriate, traditional use;
- (c) excluding substances and processing methods that might mislead the consumer regarding the true nature of the product.

Article 6a

Prohibition on the use of GMOs

1. GMOs and products produced from or by GMOs may not be used at any stages of production, processing and distribution of organic products, with the exception of veterinary medicinal products.

- 2 For the purpose of the prohibition referred to in paragraph (1) concerning GMOs or products produced from GMOs for food and feed, operators may rely on the labels accompanying a product or any other accompanying document, affixed or provided pursuant to Council Regulation 1829/2003 or Council Regulation 1830/2003. They may assume that no GMOs or products produced from GMOs have been used in the manufacture of purchased food and feed products when the latter are not labelled, or accompanied by a document, pursuant to those Regulations.
3. For the purpose of the prohibition referred to in paragraph (1) concerning products not being food or feed, or products produced by GMOs, operators using such products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.
- 4 In order to establish that the presence of GMOs and products produced from or by GMOs are adventitious or technically unavoidable, operators must be in a position to supply evidence to satisfy the competent authorities or control bodies that they have taken appropriate steps to avoid the presence of such material.

TITLE III PRODUCTION RULES

CHAPTER 1 FARM PRODUCTION

Article 7 **General farm production rules**

The entire agricultural holding shall be managed in compliance with the requirements applicable to organic production.

However, in accordance with specific conditions to be laid down in accordance with the procedure referred to in Article 31(2), a holding may be split up into clearly separated units which are not all managed under organic production, as regards livestock different species should be involved, as regards plants different varieties or varieties that can be easily differentiated should be involved.

Where, in accordance with the second subparagraph, not all units of a farm are used for organic production, the farmer shall keep the land, animals, and products used for, or produced by, the organic units separate from those used for, or produced by, the non-organic units and keep adequate records to show the separation.

Article 8
Plant production rules

1. In addition to the general rules laid down in Article 7, the following rules shall apply to organic plant production:
 - (a) organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil stability and soil biodiversity, and prevent soil compaction and soil erosion;
 - (b) fertility and biological activity of the soil shall be maintained and increased by multi-annual crop rotation including legumes and other green manure crops, application of livestock manure and organic material from organic production;
 - (c) in addition, only fertilisers and soil conditioners compatible with the objectives and principles of organic production may be used if they have been approved under Article 11;
 - (d) mineral nitrogen fertilisers shall not be used;
 - (e) all plant production techniques used shall prevent or minimise any contribution to contamination of the environment;
 - (f) prevention of damage caused by pests, diseases and weeds shall rely primarily on the protection of natural enemies, the choice of species and varieties, crop rotation and cultivation techniques;
 - (g) in the case of a threat to a crop, only plant protection products compatible with the objectives and principles of organic production may be used if they have been approved under Article 11;
 - (h) only organically produced seed and propagating material shall be used. To this end, the mother plant in the case of seeds and the parent plant in the case of vegetative propagating material shall have been produced in accordance with the rules laid down in this Regulation for at least one generation, or, in the case of perennial crops, two growing seasons.

2. The collection of edible plants and parts thereof, growing naturally in natural areas, forests and agricultural areas, is considered an organic production method provided that:
 - (a) those areas have not, for a period of at least three years before the collection, received treatments with products other than those approved under Article 11;
 - (b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

Article 9
Livestock production rules

In addition to the general farm production rules laid down in Article 7, the following rules shall apply to livestock production:

- (a) with regard to the origin of the animals:
 - (i) organic livestock shall be born and raised on organic holdings;
 - (ii) for breeding purposes, non-organically raised animals may be brought onto a holding under specific conditions to be established in accordance with the procedure referred to in Article 31(2);
- (b) with regard to husbandry practices and housing conditions:
 - (i) personnel keeping animals shall possess the necessary knowledge and competence as regards the health and the welfare needs of the animals;
 - (ii) husbandry practices, including stocking densities, and housing conditions shall ensure that developmental, physiological and ethological needs of animals are met;
 - (iii) the livestock shall have permanent access to an open air area, preferably pasture, whenever weather conditions and the state of the ground allow this;
 - (iv) the number of livestock shall be limited with a view to minimising overgrazing, poaching of soil, erosion, or pollution caused by animals or by the spreading of their manure;
 - (v) organic livestock shall be kept separate from other livestock. However, grazing of common land by organic animals and of organic land by non-organic animals is permitted under certain restrictive conditions.
 - (vi) tethering or isolation of livestock shall be prohibited, unless for individual animals for a limited period of time and justified for safety, welfare or veterinary reasons;
 - (vii) duration of transport of livestock shall be minimised;
 - (viii) any suffering, including mutilation, shall be kept to a minimum;
 - (ix) apiaries shall be placed in areas which ensure nectar and pollen sources consisting essentially of organically produced crops or, as appropriate, of spontaneous vegetation or non-organically managed forests or crops that are only treated with low environmental impact methods. They shall keep enough distance from sources that may lead to contamination of beekeeping products or to poor health of the bees;
 - (x) hives and materials used in beekeeping shall be mainly made of natural materials;
 - (xi) the destruction of bees in the combs as a method associated with the harvesting of beekeeping products is prohibited;

- (c) with regard to breeding:
 - (i) reproduction shall use natural methods. However, artificial insemination is allowed.
 - (ii) reproduction shall not be induced by hormone treatment, unless in order to treat reproduction disorders;
 - (iii) other forms of artificial reproduction, such as cloning and embryo transfer, shall not be used;
 - (iv) the appropriate breeds compatible with the objectives and principles of organic production shall be chosen. The choice of breeds shall also contribute to the prevention of any suffering and to avoiding the need for mutilation of animals;
- (d) with regard to feed:
 - (i) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development. A part of the ration may contain feed from holdings in conversion to organic farming;
 - (ii) livestock with the exception of bees shall have permanent access to pasture or roughage;
 - (iii) feed additives shall be used only if they are compatible with the objectives and principles of organic production and have been approved under Article 11;
 - (iv) growth promoters and synthetic amino-acids shall not be used;
 - (v) suckling mammals [shall be fed with] natural, preferably maternal, milk;
- (e) with regard to disease prevention and veterinary treatment:
 - (i) disease prevention shall be based on breed and strain selection, husbandry management practices, high quality feed and exercise, appropriate stocking density and adequate and appropriate housing maintained in hygienic conditions;
 - (ii) disease outbreaks shall be treated immediately to avoid suffering to the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary, when the use of phytotherapeutic, homeopathic and other products is inappropriate.

Article 10

Production rules for aquaculture

1. [The Commission shall in accordance with the procedure referred to in Article 31(2), and subject to the objectives and principles laid down in Title II, establish production rules, including rules on conversion, applicable to organic aquaculture.
2. Pending the adoption of the rules referred to in paragraph 1, national rules, or in the absence thereof private standards accepted or recognised by the Member States, shall apply, provided that they pursue the same objectives and principles as those laid down in Title II].

Article 11

Use of certain products and substances in farming

1. The Commission shall in accordance with the procedure referred to in Article 31(2), and subject to the objectives and principles laid down in Title II, establish [specific criteria¹] for the approval of products and substances that may be used in organic farming as follows:
 - (a) plant protection products and storage protection products;
 - (b) fertilisers, soil conditioners [and plant strengthening products;]
 - (c) plant, animal and mineral feed material;
 - (d) feed additives;
 - (e) products for cleaning and disinfection;
 - (f) other substances.
2. The Commission shall, in accordance with the procedure referred to in Article 31(2), decide on approval of the products and lay down conditions and limits as regards the crops that they can be applied to, the application method, the dosage, the time limits for use and the contact with crop

Article 12

Conversion

1. The following rules shall apply to a farm on which organic production is commenced:
 - (a) the conversion period starts when the operator has notified and subjected his activity to the control system;
 - (b) during the conversion period all rules established by this Regulation shall apply;
 - (c) conversion periods specific to the type of crop or animal production shall be defined;
 - (d) animals existing on the holding may be deemed organic after a specific period;
 - (e) milk and milk products from formerly non organic dairy animals may be sold as organic after a specific period ;
 - (f) on single farm units partly under organic production and partly in conversion to organic production, the farmer shall keep the land, animals, and products used for, or produced by organic production separate from those used for, or produced by, in conversion production, separate and keep adequate records to show the separation.

¹ The Presidency undertook to draft new text on "specific criteria".

2. The periods referred to in paragraph (1) (c to e) shall be defined in accordance with the procedure referred to in Article 31(2).

CHAPTER 2

FEED PRODUCTION

Article 13

Production rules for feed

1. Production of organic feed shall be kept separate in time or space from production of non organic feed.
2. Organic feed materials, or feed materials from production in conversion, shall not enter simultaneously with the same feed materials produced by non organic means into the composition of the organic feed product.
3. Any feed materials used or processed in organic production shall not have been processed with chemical synthesised organic solvents.

CHAPTER 3

PRODUCTION OF PROCESSED PRODUCTS

Article 14

General rules on the production of processed food

1. The following conditions shall apply to the composition of organic processed food:
 - (b) ingredients of non-agricultural origin and processing aids shall be used only if they have been approved under Article 15;
 - (c) non-organic agricultural ingredients shall be used only if they have been approved under Article 15.
2. Substances and techniques that reconstitute properties that are lost in the processing and storage of organic food or correct the results of negligence in the processing of these products shall not be used.

Article 15

Use of certain products and substances in processing

1. The Commission shall in accordance with the procedure referred to in Article 31(2), and subject to the objectives and principles laid down in Title II, establish [specific criteria¹] for the approval of ingredients of non-agricultural origin and processing aids that may be used in the production of organic processed food.
2. The Commission shall in accordance with the procedure referred to in Article 31(2), and subject to the objectives and principles laid down in Title II, establish [specific criteria¹] for the approval of agricultural ingredients which are not organic but which may be used in the production of organic processed food where organic agricultural ingredients are not commercially available.
3. The Commission shall, in accordance with the procedure referred to in Article 31(2), decide on approval of the products and substances referred to in paragraphs 1 and 2 and lay down conditions and limits for their use.

**CHAPTER 4
FLEXIBILITY**

Article 16

Exceptional production rules

1. The Commission may, in accordance with the procedure referred to in Article 31(2) and the conditions set out in paragraph 2 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 3.
2. Exceptions as referred to in paragraph 1 shall be kept to a minimum and may only be provided for in the following cases:
 - (a) where they are necessary in order to enable farm units initiating organic production to become viable, in particular for holdings located in areas in the early stages of development of organic production;
 - (b) where they are necessary in order to ensure that organic production can be maintained on holdings confronted with climatic, geographical or structural constraints;
 - (c) where it is necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, where such inputs are not available on the market in organic form;

¹ The Presidency undertook to draft new text on "specific criteria".

- (d) where it is necessary in order to ensure access to ingredients of agricultural origin, where such ingredients are not available on the market in organic form;
 - (e) where they are necessary in order to solve specific problems related to the management of organic livestock;
 - (f) where they are necessary in order to ensure continued production of traditional food products well known for at least a generation;
 - (g) where temporary measures are necessary in order to allow organic production to continue or recommence in the case of catastrophic circumstances;
 - (h) where restrictions and obligations related to the protection of human and animal health are imposed on the basis of Community legislation.
3. The Commission may in accordance with the procedure referred to in Article 31(2) lay down specific conditions, or with the procedure referred to in Article 31 (1a) draw up guidelines for the competent authorities, for the application of exceptions provided for under paragraph 1.

TITLE VI

TRADE WITH THIRD COUNTRIES

Article 27

Imports from third countries

1. A product imported from a third country may be placed on the Community market labelled as organic where it complies with the provisions set out in Titles II, III and IV of this Regulation. The third country operators at all stages of production, processing and distribution of the product concerned have submitted their activities to any competent authority or control body as referred to in Title V, provided that the authority or body concerned perform controls in the third country of production.
- [The product is covered by a certificate issued by the competent authorities or control bodies as referred to in Title V which confirms that the product complies the conditions set out in this paragraph.]
2. A product imported from a third country may also be placed on the Community market labelled as organic provided that:
- (a) the product has been produced in accordance with production standards equivalent to those applied to organic production in the Community taking account of *Codex Alimentarius* guidelines CAC/GL 32;

- (b) the operators has been subject to control arrangements which are equivalent to those of the Community control system taking account of the *Codex Alimentarius* guidelines CAC/GL 32;
- (c) the operators on all stages of production, processing and distribution in the third country have submitted their activities to a control system recognised in accordance with paragraph 3 or one or more control bodies recognised in accordance with paragraph 4;
- (d) the product is covered by a certificate issued by the competent authorities or control bodies of a third country recognised in accordance with paragraph 3, or by a control body recognised in accordance with paragraph 4, which confirms that the product satisfies the conditions set out in this paragraph.

3. The Commission shall in accordance with the procedure referred to in Article 31(2) recognise the third countries whose production standards and control arrangements are equivalent to those applied in the Community taking account of the *Codex Alimentarius* guidelines CAC/GL 32, and establish a list of these countries.

When examining requests for recognition, the Commission shall invite the third country to supply all the necessary information. The Commission may entrust experts with the task of examining on-the-spot the rules of production and the control arrangements of the third country concerned.

4. For products imported from a third country which is not recognised under paragraph 3, and where the operator has not submitted his activities to a competent authority or control body as referred to in Title V, the Commission shall in accordance with the procedure referred to in Article 31(2) recognise the control bodies competent to carry out controls and issue certificates in that third country for the purpose of paragraph 2, and establish a list of these control bodies.

The Commission shall examine any request for recognition lodged by a public or private control body in a third country.

When examining requests for recognition, the Commission shall invite the control body to supply all the necessary information. The Commission may also entrust experts with the task of examining on-the-spot the rules of production and the control activities carried out in the third country by the control body concerned.

TITLE VII
FINAL AND TRANSITIONAL RULES

Article 28

Free movement of organic products

Member States may not, on grounds relating to the method of production, to labelling or to the presentation of that method, prohibit or restrict the marketing of organic products that meet the requirements of this Regulation.

Article 29

Transmission of information to the Commission

Members States shall annually transmit the following information to the Commission:

- (a) the names and addresses of the competent authorities;
- (b) lists of control bodies and their code numbers and, where appropriate, their marks of conformity with standards.

Article 30

Statistical information

Member States shall transmit to the Commission statistical information necessary for the implementation and follow-up of this Regulation. This statistical information shall be defined within the context of the Community Statistical Programme.

Article 31

Management Committee on organic production

1. The Commission shall be assisted by the Management Committee on organic production (hereinafter “the Committee”).
 - 1a. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.
2. Where reference is made to this paragraph, Articles 4, 5 and 7 of Decision 1999/468/EC¹ shall apply.
3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at three months.
4. The Committee shall adopt its rules of procedure.

¹ OJ L 340, 9.12.1976, p. 25.

Article 32
Implementing rules

The Commission shall in accordance with the procedure referred to in Article 31(2) and subject to the objectives and principles laid down in Title II adopt detailed rules for the application of this Regulation. They shall include in particular the following:

- (a) detailed rules as regards the production rules laid down in Title III, in particular as regards the specific requirements and conditions to be respected by farmers and other producers of organic products;
- (b) detailed rules as regards the labelling rules laid down in Title IV;
- (c) detailed rules as regards the control system established under Title V, in particular as regards the specific criteria for delegation of tasks to private control bodies and the criteria for approval of such bodies;
- (d) detailed rules as regards the rules on imports from third countries laid down in Title VI, in particular as regards the criteria and procedures to be followed with regard to the recognition under Article 27 of third countries and control bodies, including the publication of lists of recognised third countries and control bodies, and as regards the certificate referred to in Article 27(3), point (d).

Article 33
Repeal of Regulation (EEC) No 2092/91

1. Regulation (EEC) No 2092/91 is hereby repealed from 1 January 2009.
2. References to the repealed Regulation (EEC) No 2092/91 shall be construed as references to this Regulation.

Article 34
Transitional measures

Measures to facilitate the transition from the rules established by Regulation (EEC) No 2092/91 to this Regulation may be adopted in accordance with the procedure referred to in Article 31(2).

Article 35

Entry into force and application

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

[Where the detailed production rules are not laid down for certain animal species, the rules provided for labelling in Article 17 and for the controls in Articles 22 shall apply for these species and the products therefrom. Pending the inclusion of detailed production rules, national rules or in the absence thereof private standards accepted or recognised by the Member States shall apply.]

It shall apply as from 1 January 2009.

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

Done at Brussels,

For the Council

The President
