



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.05.2005  
COM(2005) 194 final

2005/0094 (CNS)

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EEC) No 2092/91 on organic production of agricultural products  
and indications referring thereto on agricultural products and foodstuffs**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

Article 11(6) of Regulation (EEC) No 2092/91 sets out that competent authorities of the Member States can grant authorisations to market products imported from a third country not included in the list referred to in paragraph 1 point (a) of that Article, until 31 December 2005.

In its Communication to the Council and the European Parliament of 10 June 2004 concerning the European Action Plan for Organic Food and Farming, the Commission announced that it will propose an amendment to Regulation (EEC) No 2092/91 replacing the current derogations for imports by a new permanent system making use of technical equivalency evaluations by bodies assigned by the Community for that purpose.

Sufficient time is needed to develop and establish this new permanent system. In the meantime, trade in organic products should not be unnecessarily disrupted and therefore the existing transitional measures should be extended for another year.

The measure does not entail any financial consequences for the Community budget.

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,<sup>1</sup>

Having regard to the opinion of the European Parliament,<sup>2</sup>

Whereas:

- (1) Article 11(6) of Council Regulation (EEC) No 2092/91<sup>3</sup> sets out that competent authorities of the Member States can grant authorisations to market products imported from a third country not included in the list referred to in paragraph 1 point (a) of that Article, until 31 December 2005.
- (2) In its Communication to the Council and the European Parliament of 10 June 2004 concerning the European Action Plan for Organic Food and Farming<sup>4</sup> the Commission announced that it will propose an amendment to Regulation (EEC) No 2092/91 replacing the current national derogations for imports by a new permanent system making use of technical equivalency evaluations by bodies assigned by the Community for that purpose.
- (3) Sufficient time is needed to develop and establish this new permanent system.
- (4) In the meanwhile trade in organic products should not be unnecessarily disrupted and therefore the existing transitional measures should be extended for another year.
- (5) Regulation (EEC) No 2092/91 should therefore be amended accordingly,

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<sup>1</sup> OJ C [...] [...], p. [...]

<sup>2</sup> OJ C [...] [...], p. [...]

<sup>3</sup> OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 2254/2004 (OJ L 385, 29.12.2004, p. 20).

<sup>4</sup> COM(2004) 415 final.

HAS ADOPTED THIS REGULATION:

*Article 1*

In the first subparagraph of Article 11(6)(a) of Regulation (EEC) No 2092/91, the date "31 December 2005" is replaced by the date "31 December 2006".

*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*.

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

Done at Brussels,

*For the Council*  
*The President*