

COMMISSION IMPLEMENTING REGULATION (EU) 2021/461**of 16 March 2021****amending Regulation (EC) No 1235/2008 as regards the date for receiving requests for the recognition of control authorities and control bodies for the purpose of equivalence under the arrangements for imports of organic products based on Council Regulation (EC) No 834/2007****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ⁽¹⁾, and in particular Article 33(3) and Article 38(d) thereof,

Whereas:

- (1) Regulation (EU) 2018/848 of the European Parliament and of the Council ⁽²⁾ establishes that the scheme of control authorities and control bodies recognised by the Commission on the basis of Article 33(3) of Regulation (EC) No 834/2007 to carry out controls and to issue certificates in third countries for the purpose of importing products with equivalent guarantees will be replaced by a scheme of control authorities and control bodies recognised by the Commission for the purpose of importing compliant products.
- (2) Due to the outbreak of the COVID-19 pandemic and the related public health crisis, the date of application of Regulation (EU) 2018/848 and certain other dates referred to in that Regulation were deferred by one year by Regulation (EU) 2020/1693 of the European Parliament and of the Council ⁽³⁾. As a result, Regulation (EU) 2018/848 will apply from 1 January 2022.
- (3) In order to ensure that the necessary administrative capacities were available to provide for a timely recognition of control authorities and control bodies under the new scheme, Article 11(1) of Commission Regulation (EC) No 1235/2008 ⁽⁴⁾ was amended by Implementing Regulation (EU) 2020/25 ⁽⁵⁾ in order to introduce a final date for receiving new requests for the recognition of control authorities and control bodies for the purpose of equivalence under the old scheme. That final date is 30 June 2020.
- (4) It is therefore necessary to amend Article 11(1) of Regulation (EC) No 1235/2008 once again in order to align the date for receiving new requests for the recognition of control authorities and control bodies for the purpose of equivalence under the old import scheme with the date of the establishment of the new import system in Regulation (EU) 2018/848.
- (5) Regulation (EC) No 1235/2008 should therefore be amended accordingly.

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

⁽³⁾ Regulation (EU) 2020/1693 of the European Parliament and of the Council of 11 November 2020 amending Regulation (EU) 2018/848 as regards its date of application and certain other dates referred to in that Regulation (OJ L 381, 13.11.2020, p. 1).

⁽⁴⁾ Commission Regulation (EC) No 1235/2008 of 8 December 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 (OJ L 334 12.12.2008, p. 25).

⁽⁵⁾ Commission Implementing Regulation (EU) 2020/25 of 13 January 2020 amending and correcting 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 (OJ L 8, 14.1.2020, p. 18).

- (6) In order to give the control authorities and control bodies concerned the opportunity to benefit fully from the time period left until 30 June 2021 after the relevant IT tool has been reactivated, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on organic production,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 11(1) of Regulation (EC) No 1235/2008, the date '30 June 2020' is replaced by '30 June 2021'.

Article 2

This Regulation shall enter into force on the 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 Brussels, 16 March 2021.

For the Commission
The President
Ursula VON DER LEYEN
