



**EUROPEAN COMMISSION**  
 DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach  
**B.4. Organics**

Brussels,  
 [REDACTED]/agri.ddg1.b.4(2017)5036673

[REDACTED]

Thank you for your enquiry of 28 July 2017 in which you ask if your company, as a distributor in Poland of organic products manufactured and certified in France, needs to apply for a certificate to comply with the relevant EU organic legislation.

Council Regulation (EC) No 834/2007<sup>1</sup> lays out the rules on organic production and labelling of organic products. All organic production products using terms referring to organic production must adhere to this legislation. This regulation should be read in conjunction with Commission Regulation (EC) No 889/2008<sup>2</sup> which lays down detailed rules for its implementation, including production and labelling rules.

According to Article 28(1) of Regulation (EC) No 834/2007 *"Any operator who produces, prepares, stores [...] or who places such products on the market shall, prior to placing on the market of any products as organic [...]: (a) notify his activity to the competent authorities of the Member State where the activity is carried out; (b) submit his undertaking to the control system referred to in Article 27."* In addition, the last paragraph of the referred provision states that *"where an operator contracts out any of the activities to a third party, that operator shall nonetheless be subject to the requirements referred to in points (a) and (b), and the subcontracted activities shall be subject to the control system."* Therefore, both the producer and the distributor (ditto for wholesalers) who "places the product on the market" must adhere to the organic control system.

Note that a wholesaler dealing only with pre-packaged products, in accordance with Article 27(3) of Regulation (EC) No 834/2007, can be inspected at a frequency of less than once per year provided that it is deemed adequate on the basis of a risk assessment in accordance with that Article.

<sup>1</sup> [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, OJ L 189, 20.7.2007, p. 1–23](#)

<sup>2</sup> [Commission Regulation \(EC\) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation \(EC\) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control. OJ L 250, 18.9.2008](#)

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A list of the EU Competent Authorities per Member state can be found on the following link:[http://ec.europa.eu/agriculture/organic/consumer-trust/certification-and-confidence/controls-and-inspections/control-system\\_en](http://ec.europa.eu/agriculture/organic/consumer-trust/certification-and-confidence/controls-and-inspections/control-system_en).

I also invite you to consult our website where information relating to the EU organic scheme in general can be found, along with links to the relevant legislation:

[https://ec.europa.eu/agriculture/organic/index\\_en](https://ec.europa.eu/agriculture/organic/index_en)

With kind regards,

