Commission Implementing Regulation (EU) 2020/1667 of 10 November 2020 amending Implementing Regulation (EU) 2020/977 as regards the period of application of the temporary measures in relation to controls on the production of organic products (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1667

of 10 November 2020

amending Implementing Regulation (EU) 2020/977 as regards the period of application of the temporary measures in relation to controls on the production of organic products

(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 28(6), the third subparagraph of Article 30(2) and Article 38(c), (d) and (e) thereof,

Whereas:

(1) The COVID-19 pandemic and the extensive movement restrictions put in place in the Member States and in third countries in the form of national measures constitute an exceptional and unprecedented challenge for Member States and operators in relation to performing controls as specified in Regulation (EC) No 834/2007 and Commission Regulations (EC) No 889/2008[(2)] and (EC) No 1235/2008[(3)].

(2) In order to address the specific circumstances due to the ongoing crisis related to the COVID-19 pandemic, Commission Implementing Regulation (EU) 2020/977[(4)] allows Member States to apply temporary measures that derogate from Regulations (EC) No 889/2008 and (EC) No 1235/2008 in relation to the control system on the production of organic products and certain procedures provided for in the Trade Control and Expert System (TRACES).

(3) Member States have informed the Commission that, in view of the crisis linked to the COVID-19 pandemic, certain serious disruptions in the functioning of their control systems in the organic sector will persist beyond 30 September 2020. In order to address those disruptions, the period of application of Implementing Regulation (EU) 2020/977 should be prolonged.

(4) As regards official controls and other official activities within the scope of Regulation (EU) 2017/625 of the European Parliament and of the Council[(5)], Commission Implementing Regulation (EU) 2020/466[(6)] allows Member States to apply temporary measures to contain risks to human, animal and plant health and animal welfare in the

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1667. (See end of Document for details)*

specific situation linked to COVID-19 until 1 February 2021. The derogations provided in Implementing Regulation (EU) 2020/977 should therefore also continue to apply until that date. However, the minimum percentages related to the number of samples, additional random control visits and unannounced inspections and visits, as set out in Article 1(3), (5) and (6) of Implementing Regulation (EU) 2020/977 are calculated on a yearly basis. Therefore, the end of application of those derogations should not be amended.

(5) Implementing Regulation (EU) 2020/977 should therefore be amended accordingly.

(6) There is a need not to disrupt the application of the provisions of Implementing Regulation (EU) 2020/977 that is extended by this Regulation. It is therefore appropriate to provide for a retroactive application of this Regulation from 1 October 2020.

(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

Implementing Regulation (EU) 2020/977 is amended as follows:

(1) in Article 1(7), the date ‘30 September 2020’ is replaced by ‘1 February 2021’;

(2) Article 3 is amended as follows:

(a) in the second and fifth paragraphs, the date ‘30 September 2020’ is replaced by ‘1 February 2021’;

(b) in the third paragraph, the date ‘31 December 2020’ is replaced by ‘1 February 2021’.

Article 2

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

It shall apply from 1 October 2020.

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

Done at Brussels, 10 November 2020.

For the Commission

The President

Ursula VON DER LEYEN