

Document 4:

Third iteration of paragraph 6 redraft sent on 30 November 2009 for discussion by the Advisory Committee on Organic Standards (ACOS). Again, this paragraph redraft was one of many suggested amendments.

6. Two other classes of operator are also not subject to the full impact of the control system. Article 28 of 834/2007 permits Defra to exempt from the control system operators who sell organic products directly to the final consumer or user provided they do not "produce, prepare, store other than in connection with the point of sale, or import such products from a third country". This provision has been used to continue to exempt retailers selling prepackaged goods and their distribution hubs from the control system. Since 1 January 2009, when 834/2007 came into effect, wholesale and storage operations have been subject to the control system. However, the Regulation's Article 27(3) provides for any wholesalers and storage operations dealing with prepackaged goods not to be subject to the annual verification required to be applied to all other operators. These operators must be registered and, as a minimum, be subject to an initial physical inspection, followed by a physical inspection at least every three years. Where appropriate, desk reviews will be conducted in the intervening years. For this purpose wholesalers are those who take title to the prepacked product and storage operations are operators which handle prepacked goods but do not take title to the product.