



Classification of Operators

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Certification Types

In-Conversion and Fully Organic

1. The following rules shall apply to a farm on which organic production is started:
 - a) the conversion period shall start at the earliest when the operator has notified his activity to the competent authorities and subjected his holding to the control system in accordance with Article 28(1);
 - b) during the conversion period all rules established by this Regulation shall apply;
 - c) conversion periods specific to the type of crop or animal production shall be defined;
 - d) on a holding or unit partly under organic production and partly in conversion to organic production, the operator shall keep the organically produced and in-conversion products separate, and the animals separate or readily separable and keep adequate records to show the separation;
 - e) in order to determine the conversion period referred to above, a period immediately preceding the date of the start of the conversion period, may be considered, in so far as certain conditions concur;
 - f) animals and animal products produced during the conversion period referred to in subparagraph (c) shall not be marketed with the indications referred to in Articles 23 and 24 used in the labelling and advertising of products.
2. The measures and conditions necessary for the implementation of the rules contained in this Article, and in particular the periods referred to in paragraph 1(c) to (f) shall be defined in accordance with the procedure referred to in Article 37(2).

Types of Operators



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Agricultural producer	Holding: all the production units operated under a single management [7] for the purpose of producing agricultural products (Art. 2(e) of Regulation (EC) No 889/2008 [8]).
Aquaculture producers	Holding: all the production units operated under a single management for the purpose of producing algae or aquaculture animals (Regulation (EC) No 762/2008 [9]).
Processor	The natural or legal person within the Union whose activity is to process organic agricultural or aquaculture products. "Processing" is defined in Article 2(m) of Regulation (EC) No 852/2004[10] on hygiene of foodstuffs. Activities such as packaging, labelling and/or alterations made to the labelling concerning the organic production method are alone not intended as processing unless they are done in combination with any other processing activity. The value should be similar to the value for the code C10 in table 4 (Manufacture of food products)
Importer	The natural or legal person within the Union whose activity is import; that is, presenting a consignment for release for free circulation into the Union, either in person or through a representative (Ref. Art. 2(c) of Regulation (EC) No 889/2008). Only imports into the Union from third (non-EU) country/ies shall be considered: operators carrying out intra-EU trade activities shall not be reported under this category.
Exporter	The natural or legal person within the Union whose activity is export; that is, exporting to third (non-EU) country/ies organic products [with a view to their subsequent marketing]. Operators carrying out intra-EU trade activities shall not be reported under this category.
Trader	The natural or legal person within the Union whose activity, within the reporting Member State and/or within the Union, is trading. This category of operators includes wholesalers and retailers.
Wholesaler	The natural or legal person within the Union whose main activity is wholesale trade. Wholesale trade is a form of trade in which goods are purchased and stored in large quantities and sold, in batches of a designated quantity, to resellers, professional users or groups, but not to final consumers [12].
Retailer	The natural or legal person within the Union whose activity is retail trade. Retail is defined by Article 3(7) of Regulation (EC) No 178/2002 [13] as the handling and/or processing of food and its storage at the point of sale or delivery to the final consumer.



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Other operators	<p>The natural or legal person within the Union whose activity is 'preserving' of organic agricultural or aquaculture products (e.g. slaughterhouses), as well as operators not elsewhere classified (e.g. operators whose activity is transport or storage of organic products, labelling/packaging as a sole activity). The definition of preserving, as per draft amending Regulation No 1235/2008 and Regulation No 889/2008 (vote expected in second half of 2016): 'preserving' means any action, different from farming and harvesting, that is carried out on products, but which does not qualify as processing as defined in point (u), including all actions referred to in point (n) of Article 2(1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council [10] and excluding packaging or labelling of the product;</p> <p>– Article 2(n) of Regulation (EC) No 852/2004 on hygiene of foodstuffs: "unprocessed products" means foodstuffs that have not undergone processing, and includes products that have been divided, parted, severed, sliced, boned, minced, skinned, ground, cut, cleaned, trimmed, husked, milled, chilled, frozen, deep-frozen or thawed.</p>
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References

[6] Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/1991, OJ L 189, 20.7.2007, p. 1. Article 2(d): "operator" means the natural or legal persons responsible for ensuring that the requirements of this Regulation are met within the organic business under their control.
[7] Please note that the definition of agricultural holding in Article 2(a) of Regulation (EC) No 1166/2008 of 19 November 2008 on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88 (OJ L 321, 1.12.2008, p. 14) makes a specific reference to the holding's technical and economic single management.
[8] 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, 18.09.2008, p. 1).
[9] Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96 (OJ L 218, 13.8.2008, p.1).
[10] Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004, OJ L 139, 30.4.2004, p. 1) : 'processing' means any action that substantially alters the initial product, including heating, smoking, curing, maturing, drying, marinating, extraction, extrusion or a combination of those processes.



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[12] Source: CODED (EUROSTAT's concepts and definitions database), available at <http://ec.europa.eu/eurostat/ramon/>

[13] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 031, 1.2.2002, p.1).