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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,
D(2018)9214[illegible]

Dear Mr Abate,

Thank you for your note of 9 October 2017 (your reference: note n.0072909) regarding the labelling of organic branded products. Please accept my apologies for the late reply.

In the above mentioned note, you explain that Italy has an issue in relation to the interpretation of Article 26(1)(c) of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products[1] concerning the indication of the Control Body's code number in the labelling of an organic product in the case where the same labelling includes the private brand of a distributor entrusting the labelling activity to another operator.

You therefore inform the Commission authorities about the intention of the Italian authorities to consider distributors entrusting the labelling activity to other operators as operators involved in the preparation of organic products and, as a consequence, to allow the use of the code number of the control body or control authority of such distributors in the labelling of organic products unless the Commission services take a different position on this issue.

This labelling issue was addressed by the Commission in an Interpretative Note (REF SC note n° 2012-01 rev) and discussed at the last Committee on Organic Production on 1st December 2017.

Article 26(1) of Regulation (EC) No 834/2007 provides that: "Any operator who produces, prepares, [...] 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 [...]. The third subparagraph of the same Article 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".

[1] http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1513973917234&uri=CELEX:02007R0834-20130701

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