

Decree No. 34 of 2013 (V. 14.) VM of the Ministry of Rural Development concerning the procedure of certification, production, marketing, labelling and control of agricultural products and food deriving from organic agriculture

Acting pursuant to the authorisation provided in Article 76(2)(33) of Act XLVI of 2008 on food chain and its control and in my competence set out in Article 94(c) of Decree No. 212/2010 (VII. 1.) Korm of the Government on the scope of activities and competence of the individual ministers and the State Secretary heading the Prime Minister's Office, I hereby order the following:

1. General Provisions

Article 1 This Decree applies to the procedures of internal organic production, preparation, distribution and labeling and to the official recognition, control and operation of certification bodies specified in Article 27(5) of Act XLVI of 2008 on food chain and its control (hereinafter referred to as: *Éltv*).

Article 2 For the purposes of this Decree:

- (a) *inspection document*: "the certificate of inspection for import of products from organic production into the European Community" issued in accordance with Annex V of Commission Regulation (EC) No 1235/2008,
- (b) *Organic regulations*: provisions of this Decree, of Council Regulation (EC) No 834/2007 and of the Commission Regulations issued for the implementation thereof, and the provisions of other directly applicable acts of the European Union concerning organic production, preparation, distribution and labeling,
- (c) *certification body*: a control body specified in Article 2(p) of Council Regulation (EC) No 834/2007,
- (d) *certificate*: documentary evidence specified in Article 29(1) of Council Regulation (EC) No 834/2007,
- (e)* *economic operator*: an economic operator specified in the Act on civil procedure,
- (f)* *region*: the territory of Hungary and its neighbouring countries.

Article 2/A * In addition to the definitions laid down in Article 2, the following definitions shall apply for the purposes of this Decree:

- (a) Article 2 of Council Regulation (EC) No 834/2007, and
- (b) Article 2 of Commission Regulation (EC) No 889/2008 szerinti fogalom-meghatározásokat kell figyelembe venni.

2. Recognition of certification bodies

Article 3 (1) Bodies recognized by the National Food Chain Safety Authority (hereinafter referred to as: NÉBIH) pursuant to Article 27(4)(b) of Council Regulation (EC) No 834/2007 as a certification body carrying out inspection and certification tasks at operators shall be entitled to operate as certification bodies.

(2) The application for recognition shall be submitted to NÉBIH by post or electronically. The model application for recognition is set out in Annex I.

(3) The following documents shall be attached to the application for recognition (the language of the attached documents shall be Hungarian):

- (a) the Quality Manuals of the certification body and the documents of the related quality procedures, which shall include at least:
 - (aa)* the requirements that the operators participating in its certification system have to meet, if applicable,
 - (ab)* the rules of sampling procedures, the regulations relating to sample storage and the laboratory testing method,
 - (ac) the rules of inspection and certification procedures,
 - (ad) the rules of inspection procedures applicable when non-compliance with the Organic regulations is suspected,

- (ae) the risk analysis system the certification body uses for activities described in Article 14(1)(a),
- (af) the procedural rules pertaining to the acceptance of use and to the registration requirement of seed not obtained by the organic production method as described in Article 2(21) of Act LII of 2003 on the recognition of plant varieties, and on the production and marketing of planting materials (hereinafter referred to as: seed),
- (ag) the structure of the certification body,
- (ah) the registration system of operators,
- (ai) the procedures applicable at the operators in case of non-compliance with the Organic regulations,
- (aj)* the procedures for the exchange of information between certification bodies,
- (b) the proof of qualification and professional experience of persons responsible for inspection and certification,
- (c)* copy of the document verifying the accredited status required by the standard defining the general requirements for bodies operating product certification systems,
- (d) if the certification body does not have a laboratory accredited according to EN ISO/IEC 17025 to analyse the samples taken during the on-site inspection, the copy of the contract made with such a laboratory shall also be attached.

Article 4 (1) NÉBIH shall recognize as certification bodies those natural persons or economic operators that

- (a)* meet - with respect to all activities related to certification of products originating from agriculture, listed in Article 1(2) of Council Regulation (EC) No 834/2007 - the provisions of the standard defining the general requirements for bodies operating product certification systems, and has valid accreditation for the specific activity, and

- (b) meet the terms and conditions set out in paragraph (2) and in Article 27 of Council Regulation (EC) No 834/2007.

(2) The certification bodies shall employ at least one person having at least one year's professional experience and the following qualification:

- (a)* in case of inspecting and certifying plant production

- (aa) Msc in horticulture,

- (ab) Msc in agricultural engineering,

- (ac) Msc in agricultural engineering,

- (ad) Msc in plant production engineering,

- (ae) Msc in agrochemical engineering, or

- (af) Msc in plant protection engineering,

- (b)* in case of inspecting and certifying processed products - with the exception of point c) -, food science and technology engineer,

- (c) in case of wine production, the higher education qualification specified in Article 5(4) of Decree No. 25/2010 (III. 19.) FVM of the Ministry of Agriculture and Rural Development concerning the authorisation of winegrowers and on the hygiene rules applying to their activities,

- (d)* in case of inspecting and certifying livestock farming, including the production of aquaculture animals as well

- (da) veterinarian,

- (db) graduate level animal husbandry engineer, or

- (dc) Msc in agricultural engineering.

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(3) Certification bodies shall ensure that they continue to fulfil the terms and conditions laid down in paragraph (1)(a) and (b) during their lifetime of operation.

(4) NÉBIH shall issue a unique identification code number for the certification bodies recognized by it, which code number shall be composed in accordance with Annex II. A code number that has been assigned to a certification body cannot be assigned again to another certification body.

3. Audit

Article 5 (1) NÉBIH shall carry out independent reviews (hereinafter referred to as: audit) of the certification bodies at such intervals as determined in the Organic regulations.

(2) During the audits NÉBIH shall inspect the professionalism, legality and efficiency of the certification bodies' inspection and certification activities.

4. Suspending the activity of the certification body, withdrawal of recognition

Article 6 (1)* Should the certification body operate or carry out its activities in a way that fails to comply with the Organic regulations, NÉBIH shall be entitled to suspend, for a maximum period of sixty days, the certification body's certification and/or inspection activity as defined by this Decree, or the part of the certification and/or inspection activity that fails to comply with the abovementioned provisions.

(2)* The certification body, during the period of suspension of its certification and/or inspection activity, shall not be entitled to carry out the activities specified in Articles 10-11 and Articles 13-15.

(3) Should the certification body fail to operate and/or carry out its activities in a way that complies with the legal regulations even after the period of suspension, NÉBIH shall withdraw the recognition of the certification body.

(4) Should the recognition be withdrawn, NÉBIH shall inform in writing the operators certified by and contained in the record of the certification body about the withdrawal of recognition.

(5) Should the recognition of the certification body be withdrawn, the certification body and its successor cannot be recognized as a certification body for three years from the decision on withdrawing the recognition becoming final.

5. Plans and reports related to inspection and certification

Article 7 (1) The certification body shall collaborate with NÉBIH when elaborating the integrated multiannual national inspection plan defined in Article 47/A(2) of the Éltv (hereinafter referred to as: multiannual plan).

(2) The certification body shall prepare an annual plan based on a risk analysis and evaluation that conforms to the multiannual plan principles related to risk-based approach.

(3)* The annual plan includes

(a) the identifying data of the operator at which, based on the risk analysis, an on-site inspection is to be carried out,

(b) the scope of activity of the operator,

(c) the number of samples intended to be taken based on the risk analysis, the scopes of product and the products to be sampled, and the intended laboratory test directions.

(4) The certification body shall send the annual plan to NÉBIH for approval until the 15th of January of the year concerned. The approved annual plan shall constitute the part of the annual inspection plan specified in Article 32(1)(j) of the Éltv.

Article 8 (1) To the report defined in Article 47/C(2) of Éltv. and related to the implementation of the multiannual plan, the certification body shall provide NÉBIH with a progress report until the 31st of March of the year following the year concerned.

(2) The progress report shall be prepared as specified in the guide available on the website of NÉBIH, and it shall contain

(a) the type, intensity and number of inspections,

(b) the fulfilment of the inspection plan, the reasons for any divergences,

(c) the results of the inspections,

(d) the trends experienced during the inspections,

(e) the comparison of the inspection results with the results of the previous years and the analysis of any changes,

(f) the professional trainings provided for the employees of the certification bodies,

(g) any changes that occurred during the annual work of the certification body.

6. Reporting of changes, cessation of the certification body's certification activity

Article 9 (1) The certification body shall, within eight days, report to NÉBIH

- (a) any changes in the circumstances affecting its accredited status,
- (b) any changes in its data, i.e. registered office, premises, executive officer.

(2) If the certification activity of the certification body is terminated, the certification body shall

- (a) no later than ninety days before the expected date of terminating such activity,
- (b) in the event of declaring winding-up or liquidation procedures, immediately notify NÉBIH and simultaneously the operators certified by that body in writing.

7. Certification system

Article 10 (1)* The organic production of the operator shall be controlled by only one certification body at a time. This shall be stated by the operator when registering with the certification body.

(2) Retail operators selling directly to users and complying with the terms and conditions specified in Article 28(2) of Council Regulation (EC) No 834/2007 do not have to participate in the certification system.

(3) The certification body shall decide about the participation of the operator in the certification system within fifteen days from the date the operator registers with the body. The certification body shall accept the registration of the operator in the certification system if the operator has not been excluded from the inspection and certification system of organic farming, or, if it has been excluded, the exclusion period has already expired.

(4) The certification body shall, in writing and within 30 days from the date of the decision specified in paragraph (3), enter into a certification contract (hereinafter referred to as: certification contract) with such operators whose registration the certification body accepted. Such contract shall contain the registration of the operator in the certification system and the terms and conditions of participating in the certification system. The certification body shall keep a copy of the certification contract for three years following the termination of such contract.

(4a)* After the conclusion of the certification contract the certification body shall carry out an on-site inspection at the operator as soon as possible but no later than within 90 days following the date of conclusion of the contract, depending on the activity to be certified.

(4b)* The conversion period of the operator commencing organic production shall begin no sooner than the date of conclusion of the certification contract.

(5) Should the certification body reject the operator's registration for participation in the certification system, the operator may request to obligate the certification body to accept the registration

(a)* for the production and placing on the market of primary products of animal origin, for the manufacturing, processing, use and placing on the market of feed, unprocessed and processed products of animal origin and processed products of plant origin at the district office competent for food chain safety and animal health,

(b)* for the production and placing on the market of primary products of plant origin, and for the manufacturing and placing on the market of unprocessed products of plant origin at the district office competent for plant protection and soil conservation,

(c)* for product scopes relating to the district office competent for food chain safety and animal health and to the district office competent for plant protection and soil conservation based on point (a) and (b), at the district office competent for food chain safety and animal health.

(6)* The district office competent for food chain safety and animal health and/or the district office competent for plant protection and soil conservation shall decide about the request specified in paragraph (5) by examining the criteria defined in paragraph (3).

Article 11 (1)* The certification body shall issue a fixed-term certificate in accordance with Article 29 of Council Regulation (EC) No 834/2007 for the operator participating in its certification system. The certification body may refuse to issue the certificate only if the operator fails to comply with the

Organic regulations and/or to pay the fees determined in the certification contract.

(2) The certification body shall keep electronic record of the operators certified and certificates issued, suspended or withdrawn by it. The certification body shall electronically forward the contents of such record to NÉBIH and shall notify NÉBIH about any changes to the data of the record within 15 days.

(3) The certification body shall notify NÉBIH in writing - simultaneously with the submission of the annual plan to be submitted in the year following the year concerned - about the operators participating in the certification system in the given year, and shall also - providing the data specified in Annex XII to Commission Regulation (EC) No 889/2008 and the address, registered office and premises - indicate the operators entering and leaving the certification system in the given year.

Article 12 (1) At the commencement of the certification activity or, in case of a modification, thirty days before the date of the modification, the certification body shall

(a) make accessible at its premises providing customer service and on its website, and

(b)* shall send to NÉBIH and the Pest County Government Office with food chain safety and animal health competence the list of fees payable for the certification services applied by such certification body.

(2)* The certification body shall publish and make available on its website the information detailed in Article 92b of Commission Regulation (EC) No 889/2008. Such information shall be accessible to anyone.

Article 13* At the request of the operator, the certification body shall accept in its certification system the use of seed not obtained by the organic production method provided that such seed are used in accordance with the provisions of Commission Regulation (EC) No 889/2008.

Article 13/A* All operators carrying out organic production, processing and distribution shall, at all stages of production, processing and distribution, establish the traceability of such food, feed, seed, food-producing animals, and any other substance intended to be, or expected to be, incorporated into a food or feed that are covered by the Organic regulations so that it can be verified that they are of organic farming.

8. Inspection system, procedures applicable in case of non-compliance with the Organic regulations

Article 14 (1) The certification body shall

(a) inspect, with a frequency determined in the annual plan, whether the operators comply with the requirements specified in the Organic regulations, and takes samples during the inspection for laboratory testing,

(b)* analyse in its laboratory the samples taken during the inspections within the time period complying with the test parameters and determined in the rules of laboratory testing specified in Article 3(3)(a) and (ab), but no later than 24 hours after the sampling, or shall forward such samples to the contracted laboratory for analysis.

(1a)* If the period specified in point (1)(b) ends on a holiday, the period shall expire on the next working day in the same hour.

(2) For samples taken pursuant to paragraph (1) the certification body shall ensure the storage and transport conditions complying with the test parameters and sample matrix.

(3) The cost of samplings and laboratory tests defined in point (1)(a) shall be borne by the certification body. In case of non-compliance, the certification body may pass on the cost of samplings and laboratory tests to the operator.

(4)* The certification body shall immediately - following receipt of the decision on measures imposed by the district office competent for food chain safety and animal health or the district office competent for plant protection and soil conservation as a result of non-compliance with the Organic regulations and/or as a result of using the expression referring to organic production while not being entitled to use such expression - notify the Hungarian State Treasury (Magyar Államkincstár) in writing (by post or electronically) about such measures if the operator participating in its inspection system takes advantage of aid schemes where aids may be granted if the Organic regulations are complied with.

Article 15 (1) Should the certification body become aware that an operator certified by it infringes the Organic regulations, in accordance with the procedural rules described in its Quality Manuals, the certification body may, in a manner proportionate to the level of infringement, take the following measures:

- (a) warn the operator in writing about the irregularity,
- (b) call on the operator to provide the outstanding documents,
- (c) order the operator to terminate the erroneous practices,
- (d)* conduct an extraordinary inspection,
- (e)* in cases specified in paragraph (2) and (3), suspend the certification of the operator, which suspension may affect the certified activities as a whole or a part thereof, or
- (f)* withdraw the certificate.

(2)* If the operator does not fulfil the requirements specified in paragraph (1)(b) and (c) within the time limit set, in case of more serious or repeated infringement the certification body shall suspend the certification of the operator, which suspension may affect the certified activities as a whole or a part thereof, until the irregularity is terminated or the outstanding documents are provided.

(2a)* The certification body shall - in accordance with the division of tasks set out in Article 10(5) - notify the district offices competent for food chain safety and animal health, the district offices competent for plant protection and soil conservation, the Pest County Government Office competent for food chain safety and animal health and NÉBIH about the cases specified in Article 30(2) of Council Regulation (EC) No 834/2007.

(3) Taking into account the non-compliance with the Organic regulations and/or the use of the expression referring to organic production while not being entitled to use such expression, the certification body - in accordance with the division of tasks set out in Article 10(5) - shall initiate the imposition of any measure laid down in Article 25(1) at the district office competent for food chain safety and animal health or for plant protection and soil conservation and of the place where the infringement was committed. Until the decision of the district office competent for food chain safety and animal health or for plant protection and soil conservation, or until such offices send notification as specified in Article 25(2), the certification body shall - in cases described in Article 25(1)(a) and (b) for the product scope affected by the measure - suspend the certification of the operator.

(4)* Should the certification be suspended, the certification body shall withdraw the certificate. If not all the products listed in the certificate are affected by the suspension, the certification body shall issue a new certificate with the amended product scope for the original validity period of the certificate. In case of partial suspension, if the suspension period expires and the operator complies with the Organic regulations, the certificate with the amended product scope shall be withdrawn and simultaneously a new certificate shall be issued. The validity period of the new certificate shall not be longer than the original validity period of the certificate withdrawn as a result of suspension, if such original period would not have yet expired.

(5)* The certification body shall publish and make available on its website the withdrawn certificates, indicating the date of withdrawal, for at least one year following the expiration of the original validity period of the certificate. Such information shall be accessible to anyone.

Article 16* The operator may - in accordance with the division of tasks set out in Article 10(5) - request the district office competent of the operator's address, registered office or premises and for food chain safety and animal health or for plant protection and soil conservation to investigate the procedures related to the exercise of the certification body's inspection and certification tasks.

9. Changing the certification body

Article 17 (1) The certification body shall not restrict the operator's freedom to change certification body.

(2)* The operator can submit an application for changing certification body only to one certification body at a time.

(3)* The operator shall send the application for changing certification body to both its current and newly chosen certification body. The newly chosen certification body shall be indicated in the application sent to the current

certification body. The certification body currently certifying the operator shall be indicated in the application sent to the newly chosen certification body.

(4)* The certification body shall send to the newly chosen certification body the relevant elements of the inspection file [in particular the documents and declarations specified in Article 63(1) and (2), respectively, of Commission Regulation (EC) No 889/2008, the reports and evaluation reports on the inspections conducted by the certification body in the last three years and the issued and withdrawn certificates of the last three years] and the reports mentioned in 63(2) of Commission Regulation (EC) No 889/2008 electronically and by post with acknowledgement of receipt within fifteen days from receiving the operator's application for changing certification body.

(5)* If the application for changing certification body has been submitted more than sixty days after the annual inspection specified in Article 27 of Council Regulation (EC) No 834/2007 was conducted, the certification body shall conduct an on-site inspection at the operator free of charge within the period defined in paragraph (4). If samples are taken and the laboratory test reveals non-compliance, Article 14(3) shall apply.

(6)* The certification body shall only be entitled to refuse to send the documents specified in paragraph (4) if the operator fails to pay the fees defined in the certification contract, or if there are pending administrative procedures due to the suspected infringement of the Organic regulations.

(7) The certificate issued by the certification body to the operator shall be valid until the certification contract terminates.

Article 18 (1) The newly chosen certification body shall conduct an on-site inspection at the operator within fifteen days from receiving the documents detailed in Article 17(4), and shall decide on the operator's application for changing certification body within ten days from the completion thereof.

(2)* The newly chosen certification body shall accept the operator in its certification system if it is established during the on-site inspection that the operator complies with the Organic regulations. The newly chosen certification body shall notify NÉBIH and the Pest County Government Office competent for food chain safety and animal health and for plant protection and soil conservation about its decision on the operator's application for changing certification body in writing within eight days, providing the data specified in Annex XII to Commission Regulation (EC) No 889/2008 and indicating the exact address, registered office and premises.

(3)* The conclusion of the certification contract with the newly chosen certification body shall ensure that the operator enters the new certification system on the date of leaving the previous certification system.

(4)* If, based on the application for changing certification body and the on-site inspection, it cannot be established that the operator complied with the Organic regulations, the conversion period shall restart on the day of accepting the application for changing certification body. The certification body shall simultaneously notify the operator and the district office competent for food chain safety and animal health and of the operator's address, registered office or premises about such restart.

(5) In other respects, the provisions of Article 10 shall apply to changing a certification body.

Article 19 (1) In the event of the cessation of the certification body's certification activity, the operator - if it wishes to continue organic farming - may, while retaining its status, initiate at the other certification body chosen by it to be transferred to the certification system of such certification body and the conclusion of a certification contract, within thirty days from receiving the notification on the cessation of the certification body's certification activity.

(2) The transfer described in paragraph (1) shall constitute an emergency change of certification body and the inspection activity of the certifier shall be considered uninterrupted. The operator shall be transferred by the other certification body chosen into its certification system in accordance with the provisions of Article 10 and 11. Provisions specified in Article 17 and 18 shall duly be applied for a transfer described in paragraph (1).

(3) In the event of the cessation of the certification body's certification activity, the other certification body chosen shall, with respect to the activities indicated in the application, accept the operator with the status indicated in the valid certificate issued by the previous certification body.

10. Succession

Article 20 Should the operator be succeeded, the successor may, in relation to the organic farming activity certified by the certification body, continue to operate with the same rights and restrictions the predecessor had.

10/A* Placing organic products on the market

Article 20/A §* When placed on the market, non-prepacked organic products shall be stored separately from non-organic products, preventing non-organic products mixing with organic products.

11. Importation of organic products

Article 21 §*

Article 22 §* If, pursuant to Article 13 of Commission Regulation (EC) No 81235/2008, the consignment is inspected in Hungary, column 17 of the inspection document shall be verified by the bodies defined in Article 23(c).

12. Duties of NÉBIH

Article 23 §* NÉBIH

- (a) keeps record of the certification bodies, unique code numbers described in Article 4(4) and conformity marks used by the certification bodies, and publishes such record on its website,
- (b) appoints the bodies responsible for verifying column 20 of the inspection document, publishes the list of such bodies on its website and coordinates the performance of the tasks related to TRACES COI electronic certificate management system,
- (c) approves the annual plan referred to in Article 7(2),
- (d) on the request of the certification bodies, decides on the acceptance of private standards specified in Article 42 of Council Regulation (EC) No 834/2007 and elaborated by the certification body,
- (e) based on the applicable laws, the data of products and the recommendations of the certification bodies, complies and reviews the list of plant protection products, fertilising products and substances not classified as plant protection products used in organic farming, and publishes such list on its website for information purposes,
- (f) ensures the exchange of information between the certification bodies,
- (g) manages the Organic Farming Information System (hereinafter referred to as: OFIS system), in particular
 - (ga) forwards to the Committee the data specified in Council Regulation (EC) No 834/2007 and in Article 94(1)-(2) of Commission Regulation (EC) No 889/2008,
 - (gb) coordinates the performance of the tasks related to OFIS warnings,
 - (gc) is in charge of uploading the certificates related to organic farming into the OFIS system.

Article 23/A §* NÉBIH sends to the certification body of the operator its decision on measures imposed as a result of non-compliance with the Organic regulations and as a result of using the expression referring to organic production while not being entitled to use such expression.

13. Duties and competences of the district offices and the Pest County Government Office competent for food chain safety and animal health and for plant protection and soil conservation

Article 24 In accordance with the division of tasks set out in Article 10(5), the district office competent for food chain safety and animal health and/or the district office competent for plant protection and soil conservation*

- (a)* if NÉBIH suspends the certification body's operation, conducts the operator's annual inspection in relation to the activity affected by the suspension and due during the suspension period, during which samples for laboratory testing may be taken, and issues the certificate,

- (b) investigates the notifications and complaints initiated by the operator in relation to the performance of the certification body's inspection and certification tasks,
- (c) if, as a result of the irregularities revealed, the recognition of every certification body is withdrawn, assumes the tasks of the certification body,
- (d) monitors the compliance with the provisions of Article 24 of Council Regulation (EC) No 834/2007.

Article 25 (1)* Should the district office competent for food chain safety and animal health and/or the district office competent for plant protection and soil conservation competence become aware that the operator failed to comply with the Organic regulations and/or used the expression referring to organic production while not being entitled to use such expression, it shall, in a manner proportionate to the level of non-compliance, order

(a) to restrict or prohibit the use of the expression referring to organic production when the affected product is being distributed,

(b) to restart the conversion period of the organic farming activity as a whole or a part thereof,

(c) to exclude the operator from the inspection system of organic farming for a maximum of three years.

(2)* The district office competent for food chain safety and animal health or the district office competent for plant protection and soil conservation sends to the certification body of the operator its decision on measures imposed as a result of non-compliance with the Organic regulations and/or as a result of using the expression referring to organic production while not being entitled to use such expression.

(2a)* If the district office competent for food chain safety and animal health or the district office competent for plant protection and soil conservation competence does not consider necessary to impose the measures described in paragraph (1) initiated by the certification body made pursuant to Article 15(3), it shall so inform the certification body.

(3) The measure specified in paragraph (1)(c) may be applied if the Organic regulations are seriously or repeatedly infringed.

(4) If the sanction described in paragraph (1)(c) is imposed

(a) the operator and its successor,

(b) the owner of the operator

shall not engage in organic farming until the exclusion period expires.

(5)* The district office competent for food chain safety and animal health and/or the district office competent for plant protection and soil conservation deciding upon the exclusion shall notify every certification body - except for the certification body of the operator - and NÉBIH about the name and address of the operator excluded pursuant to paragraph (1)(c), within eight days following the exclusion.

Article 25/A * The Pest County Government Office with food chain safety and animal health competence and with plant protection and soil conservation competence

(a) defines the livestock units referred to in Article 15(2) of Commission Regulation (EC) No 889/2008,

(b) pursuant to Article 18 of Commission Regulation (EC) No 889/2008, authorizes the management of animals,

(c) pursuant to Article 25c of Commission Regulation (EC) No 889/2008, authorizes the simultaneous production of organic and non-organic aquaculture animals,

(d) pursuant to Article 25l(2), authorises the use of organic feed of plant origin, preferably grown on the farm itself or seaweed,

(e) pursuant to Article 25(s) of Commission Regulation (EC) No 889/2008 decides on the fallowing of aquaculture animals and defines the duration thereof,

(f) at the request of the operator, pursuant to paragraph (3)(a) of Annex VI to Commission Regulation (EC) No 889/2008 authorizes the use of vitamins A, D and E for the feeding of ruminants, if the specific herd is unable to obtain the necessary quantities of the said vitamins through the feed rations,

(g) pursuant to Article 27(4) of Commission Regulation (EC) No 889/2008, authorizes the use of natural colours and coating agents for the traditional decorative colouring of the shell of boiled eggs produced with the intention to place them on the market, and informs NÉBIH about the issued authorizations,

- (h) pursuant to Article 29 of Commission Regulation (EC) No 889/2008, authorizes the use of non-organic food ingredients of agricultural origin, and informs NÉBIH about the issued authorizations,
- (i) pursuant to Article 36 and 38(a) of Commission Regulation (EC) No 889/2008, issues the authorizations related to the reduction of the conversion period,
- (j) pursuant to Article 40(1) and (2) of Commission Regulation (EC) No 889/2008, authorizes parallel production,
- (k) pursuant to Article 42 of Commission Regulation (EC) No 889/2008, authorizes the use of non-organic animals,
- (l) issues temporary authorisations in catastrophic circumstances in accordance with Article 47 of Commission Regulation (EC) No 889/2008, and notifies NÉBIH about the issued authorisations,
- (m) provides data for the management of the database defined in Article 48 of Commission Regulation (EC) No 889/2008,
- (n) pursuant to Article 50 of Commission Regulation (EC) No 889/2008, performs the tasks related to the registration of suppliers,
- (o) ensures the exchange of information between the certification bodies.

14. *Following duration of poultry runs*

Article 26 When the rearing of a batch of poultry has been completed, poultry runs described in Article 23(5) of Commission Regulation (EC) No 889/2008 shall be emptied for a period of four weeks.

15. *Final provisions*

Article 27 This Decree shall enter into force on the fifteenth day after its announcement.

Article 28 (1) Should paragraph (2) of this Article be met, a certification body recognised in accordance with Decree No. 79/2009 (VI. 30.) FVM of the Ministry of Agriculture and Rural Development concerning the detailed rules of certification, production, marketing, labeling and control of agricultural products and food deriving from organic agriculture [hereinafter referred to as: Decree No. 79/2009 (VI. 30.) FVM] shall be regarded as a certification body complying with the present Decree.

(2) A certification body with a Quality Manuals approved pursuant to Decree No. 79/2009 (VI. 30.) FVM shall submit every document listed in Article (3)(3)(a) to NÉBIH within three months from this Decree becoming effective in order to review if the certification body complies with this Decree.

Article 28/A §* The certification bodies shall prepare the Quality Manuals regulations related to sample storage and specified in Article (3)(3)(a)(ab) and defined by Decree No. 81/2004 (V. 4.) FVM of the Ministry of Agriculture and Rural Development concerning producer groups and by Decree No. 34/2014 (XII. 12.) FM of the Minister of Agriculture amending Decree No. 34 of 2013 (V. 14.) VM of the Ministry of Rural Development concerning the procedure of certification, production, marketing, labeling and control of agricultural products and food deriving from organic agriculture until 31 January 2015, and shall submit such regulations to NÉBIH for review.

Article 29 This Decree lays down the provisions necessary for the implementation of

- (a) 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;
- (b) 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;
- (c) Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries;

(d) Commission Implementing Regulation (EU) No 426/2011 of 2 May 2011 amending Regulation (EC) No 889/2008 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;

(e) Article (4)(1) and (5) of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;

(f)* Commission Implementing Regulation (EU) No 392/2013 of 29 April 2013 amending Regulation (EC) No 889/2008 as regards the control system for organic production.

Article 30*

Annex I to Decree No. 34 of 2013 (V. 14.) VM of the Ministry of Rural Development*
Model letter to be submitted for the recognition of a certification body

Subject: Application for the recognition of inspection and certification body Dear Sir/Madam, I, the undersigned, as the legal representative of (name, address of the body), based on the ministerial decree concerning the procedure of certification, production, marketing, labeling and control of agricultural products and food deriving from organic agriculture, hereby request the recognition of the body represented by me as a certification body.

Date:

Annexes:

- (a) the Quality Manuals of the certification body and the documents of the related quality procedures
- (b) the proof of qualification and professional experience of persons responsible for inspection and certification
- (c) copy of the document verifying the accredited status required by the standard defining the general requirements for bodies operating product certification systems

Annex II to Decree No. 34 of 2013 (V. 14.) VM of the Ministry of Rural Development
Rules of composing the code number issued for the certification body

1. The code number shall be composed as follows:

1.1 The first 7 characters are: HU-ÖKO-

1.2 Then a two-digit sequence number follows. The sequence number of the first recognised body is 01, the sequence number of the second recognised body is 02, and so on.

Annex III to Decree No. 34 of 2013 (V. 14.) VM of the Ministry of Rural Development*

*It is overruled by Decree No. 34 of 2014 (XII. 12.) FM, § 22. b). The decree is of no effect since 27. XII. 2014.