Law on Organic Agriculture

Chapter 1. General Provisions

Article 1. Main Definitions

1.1. The main concepts used in this Law shall express the following meanings:

1.1.1. organic agriculture – growth of agriculture plants and breeding of animals, processing, circulation and certification of organic agriculture and food products without applying chemical-synthetic (artificial) substances;

1.1.2. organic agriculture and food products – produced, processed, as well as sold products pursuant to requirements of organic agriculture;

1.1.3. organic observation – an activity to research the production and processing of agricultural and food products in organic agriculture subjects in compliance with organic agriculture requirements, norms and rules in the field of organic agriculture; conduct observations and analysis; prepare respective information and present to respective bodies and organic economic subjects and submit to respective bodies and economic subjects;

1.1.4. certification in organic agriculture– documentation procedure conducted by a certification body in organic agriculture subjects based on the information provided by organic oversight body regarding the production and processing of agricultural and food products in compliance with requirements of organic agriculture requirements;

1.1.5. conversion (transition) period to organic agriculture– period starting from the application of respective norms, rules and recommendations until the certification of organic agriculture and food products by transitioning from traditional agriculture method to organic agriculture;

1.1.6. standards of organic agriculture and food products – a normative document regulating requirements regarding the quality and safety of organic agriculture and food products;

1.1.7. national trademark of organic agriculture and food products – a mark indicated on the label of organic agriculture and food products in the print or graphic description form for their demonstration and sale;

1.1.8. agroecosystem – ecological system encompassing plots of lands, fields, animals, forests, natural fodder areas, water reservoirs, and human beings which participate in obtaining agricultural products;

1.1.9. genetically modified organisms and their derivatives – excluding hybridization, transduction or natural recombination methods, organisms obtained with repeated production of artificially modified genetic materials;

1.2. The term “organic” used in this Law expresses the same meanings as “biological”, “organic” or their derivatives.

Article 2. Legislation of the Republic of Azerbaijan on the Organic Agriculture

2.1. The Legislation of the Republic of Azerbaijan on the Organic Agriculture consists of the Constitution of the Republic of Azerbaijan, laws of the Republic of Azerbaijan “On Standardization”, “On the Protection of Consumer Rights” and “On the Food Products”, this Law and other normative legal acts adopted accordingly.

2.2. Relations with respect to the use of forest plants and wild animals, production, transportation, storage and use of agricultural products with the application of chemical-synthetic (artificial) substances shall be regulated with the respective legislation of the Republic of Azerbaijan.

Article 3. Objectives of the legislation on "Organic Agriculture"

3.0. The objectives of the legislation on Organic Agriculture are to achieve the solution of the following ecological, social and economic issues:

3.0.1. production of quality agricultural and food products and their safety for human health based on the application of organic agriculture;
3.0.2. restoration, protection, maintenance and extension of land fertility and structure;
3.0.3. protection and enhancement of environment;
3.0.4. efficient use of natural reserves;
3.0.5. meet the demand for organic agriculture and food products in the market and form competition in this area;
3.0.6. protection of consumer rights;
3.0.7. proposal for alternative types of activities for sustainable economic development of rural areas.

Article 4. General Principles of organic agriculture (

4.0. Organic agriculture is based on the following general principles:

4.0.1. creation of stable and balanced agroecosystem ensuring the consumers' lives, healths, natural reserves and environmental protection;
4.0.2. rejection from the use of chemical-synthetic (artificial) substances in the course of agricultural works, prohibition of the application of any polluting and potentially dangerous technologies;
4.0.3. protection and increase of biodiversity through cultivation of plant species and sorts enabling the harmony of organic agriculture with natural land opportunities, as well as through selection of efficient breeding methods of animals;
4.0.4. application of balanced and rotational sowing systems based on the use from genetically stable plant species against diseases and pests with highly adaptable peculiarities;
4.0.5. application of organic technologies in plant growth and animal husbandry;
4.0.6. stable maintenance and increase of natural land fertility by applying closed natural circulation method; integration of plant growth and animal husbandry systems;
4.0.7. stimulation of natural restoration and self-cleaning processes of lands in organic farming area; application of efficient technologies limiting the accumulation of pollutants in the soil, and preventing their penetration from the soil to the plants, and keeping under control the water reservoirs and the source of atmosphere pollution;
4.0.8. implementation and expansion of entrepreneurship activity in organic farming area based on volunteer principles.

Article 5. State Regulation of Organic Farming

5.0. The state duties are the following in regulating the organic farming:

5.0.1. to approve normative legal acts and normatives regulating production, processing, packing, marking, certification, storage and sale of organic farming and food products and prepare special projects for their development;
5.0.2. organize the preparation of national standards regarding organic farming and food products;

5.0.3. ensure the adjustment of normative legal acts existing in the organic farming area to the interntional norms;
5.0.4. approve the list of non-natural means the application of which is allowed and natural means the application of which is prohibited in organic farming;
5.0.5. determine the rules regarding the transition to organic farming and commitments assumed by subjects willing to become engaged in this activity;
5.0.6. assist the organization of organic farming subjects, register the economic subjects implementing entrepreneurship activity in this area, and realize the state oversight over the implementation of requirements of normative legal acts and normatives; and over monitorinw of agroecosystem;
5.0.7. assist in the organization of respective laboratories supplied with modern equipment and supplies and training of specialists for identifying substances and organisms the use of which is prohibited in organic farming;
5.0.8. identify bodies of organic observation and oversight in organic farming and their powers; issue accreditation documents to them;
5.0.9. register the accredited bodies on organic observation and sertification and ovesee their activities;
5.0.10. cancellation of accreditation documents issued to accredited bodies on organic observation and certification in case of their violation of normative legal acts and normatives which are in effect or adopt a decision regarding the cancellation of accreditation documents;
5.0.11. keep under control of scientific-research works in organic farming area and formation process of personnel potential and realize its planning;
5.0.12. public education in organic farming area and organize the education work, and dissemination of information;
5.0.13. prepare proposals on stimulating the activities of economic subjects which have switched to organic farming and submit to the respective executive body;
5.0.14. register technological equipment of processing enterprises on organic farming and food products; oversee the realization of their attestation and issuance of respective conformity certificates;
5.0.15. assist in the formation of organic farming and food product market;
5.0.16. represent the Republic of Azerbaijan in international cooperation on organic farming; implement other tasks as defined by legislation.

Chapter II. Organization of Organic Farming

Article 6. Requirements regarding the organic farming

6.0. Organic farming should meet the following requirements:

6.1. adherence to general principles of organic farming;
6.2. rejection from synthetic mineral fertilizers, pesticides, height hormones (stimulators), synthetic food additives used in the production process of food products, chemical means causing ecological danger in the disinfection of buildings where warehouses and cattle are kept except the means allowed for application in organic farming;
6.3. use of seeds and sewing materials certified as organic product in organic lands;
6.4. prevent the use of chemicals causing ecological danger in vet medicine;
6.5. rejection from genetically modified organisms and their derivatives in the production of organic farming and food products;
6.6. use of natural food additives allowed only in international and national standards in the processing of organic farming and food products;

6.7. conformity of processing conditions of organic farming and food products to international sanitary-hygiene rules, fulfillment of norms and requirements of hygiene standards;
6.8. In case of mandatory use of chemical-synthetic (artificial) substances for prevention purposes, as well as, against the plant and animal diseases, pests and weeds in organic farming subjects, the removal of those subjects from the list of organic farming subjects and ensuring their restoration after the period specified in the Article 10 of this Law;
6.9. stop the circulation of produced, processed and stored agricultural products as organic and food products in organic farming subjects in case of the mandatory use of chemical-synthetic (artificial) means;

Article 7. Organic requirements applied in plant growth

7.0. The cropping system meeting the following ecological requirements in plant growth is applied:
7.0.1. regulation with ecological methods (rotational cropping area, decomposed manure, compost, green fertilizers, etc.) of the maintenance process for land structure and increase of natural fertility without the use of chemical-synthetic (artificial) substances;
7.0.2. selection of respective agrotechnical methods and use of only ecologically safe natural and non-natural means the application of which is allowed;
7.0.3. use of multiyear and one-year leguminous plants in rotational crops, use of their mixed crops in grainy leguminous plants;
7.0.4. dissemination of the use of plant species and sorts which endure pests and diseases, and which adjusted to local soil-climate conditions;
7.0.5. rotation of sowing area which has transitioned or in the process of transitioning to organic farming with sowing areas where chemical-synthetic (artificial) substances are applied;
7.0.6. use of crops and sowing materials obtained from certified plants which comply with ecological requirements and cultivated in organic subjects in seed growth for at least one-year period, and in perennial herbs for two year period.
7.0.7. use of only agrotechnical, mechanical, physical and biological methods, as well as, other means the application of which is allowed in organic farming in the protection of plants against diseases, pests and weeds.

Article 8. Ecological requirements applied in animal husbandry

8.1. The ecological requirements applied in animal husbandry are the following:

8.1.1. use of ecologically harmless technology in the production and initial processing of organic animal husbandry products;
8.1.2. wider use of natural methods in the multiplication of animals, use of vet medications which are allowed for application in the prevention of diseases;
8.1.3. use of high productive animal breeds which endure the diseases in organic farming and have adjusted to local conditions;
8.1.4. enrich biodiversity and regulation of mutual activities of animal husbandry with plant growth in organic farming;
8.1.5. use of fodder produced in organic farming subjects in feeding the animals;
8.1.6. prevent the use of synthetic height stimulators added to fodders, synthetic substances preventing the natural development or increasing the productivity in the fodder production and with the purpose of foddering;

8.1.7. use of vet medications and other means the application of which is allowed in the prophylactics and treatment of animals, processing and circulation of animal husbandry products in organic farming subjects.

8.2. The animals bred in other farms are allowed to be brought into the organic farming subjects in the following cases by adhering to respective vet-sanitation rules:
8.2.1. when a generation is changed for the expansion of the subject or when the subject is specialized with new animal breed;
8.2.2. when the total number of cattle is restored in natural calamities or during the massacre of animals;
8.2.3. when there is a need for changing the derivatives for multiplication of animals.

Article 9. Procedures for Organizing Organic Farming subjects

9.1. Organic farming subjects are comprised of legal and physical persons which are engaged in the voluntary production of organic farming and food products or in the circulation of those products and those who have received respective document (certificate) for such an activity.
9.2. Organic farming subjects cannot be located within major industrial centers, near industrial objects having harmful wastes and near central highways, should have organic soil for cultivating plants and animals for breeding in natural conditions, organic water, healthy cattle and favorable cropping conditions.
9.3. The organic farming subjects are organized in the following manner:
9.3.1. any subject wishing to act as organic farming subject should submit a written request to an ecological body about it;
9.3.2. should take over the commitments in the order established by legislation for fulfilling the requirements of transition period to organic farming and meet respective requirements;
9.3.3. should create necessary conditions for conducting researches, analysis and observations in the farming by a ecological observation body and should implement recommendations of this body.

9.4. As a rule, it is not allowed to produce a product using organic and at the same time traditional agriculture methods in the subjects producing organic farming and food products. The production of products using both organic and traditional agriculture methods at the same time is allowed in exceptional cases under the rules established by respective executive body.
9.5. The farms which have received the status of organic farming subject can establish cooperation relations between themselves, with respective processing and sale subjects, respective societies and associations in the order established by legislation in order to expand their production and ensure the efficiency of their activities.

Article 10. Transition period to organic farming

10.1. The transition period to organic farming envisions the creation of a balanced sustainable agroecosystem and switching of traditional agriculture to organic farmin within a certain period of time.
10.2. The period of transitioning to organic farming is defined in the following way on the production units in accordance with international standards:

10.2.1. for plants with one-year life cycle – 2 years before the crop;
10.2.2. for multi-year plants and multi-year cropping – 3 years after the harvesting;

10.2.3. fodder plants and pastures – 2 years;
10.2.4. for horned cattle bred for slaughter purpose– 1 year;
10.2.5. for horned cattle bred for milk purpose – 12 weeks;
10.2.6. for small cattle and pigs – 6 months;
10.2.7. for 3-day birds bred for egg and (or) slaughter purpose – 10 weeks;
10.2.8. for bea families – 1 year.

10.3. The transition period to organic farming begins after concluding respective agreement between an accredited body on organic observation and producer.

10.4. Regular researches, observations and analysis are conducted by an accredited body over production processes occurred during the transition period to organic farming and the conformity of production methods to established organic requirements is ensured.

10.5. In case when production processes applied in the farming transitioning to organic farming meet the organic requirements, the accredited body on certification may allow the sale of products produced in that farming under the name of "production of transition period". In this case, the products which are put out on sale should be marked as "product of transition period".

10.6. The usage procedures of organic farming and food products, as well as, the list of natural and non-natural means the use of which is allowed in organic farming are defined by a respective executive authority.

Chapter III. Organic observations and certification in organic farming

Article 11. Recognition of organic farming subjects

11.1. In the transition period to organic farming and in their further activities, economic subjects engaged in farming and production, processing and circulation of food products complying with all organic standards, normatives and requirements shall be granted respective document (certificate) confirming their status of organic farming subjects based on the proposal by a certification body and information of an organic observation body.

11.2. The respective document (certificate) to organic agriculture subjects shall be granted based on the following information they provide:
11.2.1. name and address of a subject;

11.2.2. premise where the activity has been undertaken and the area it is located;

11.2.3. nature of activity and types of a product;

11.2.4. commitment of a subject on adhering to the national and international legislation requirements in organic agriculture area;

11.2.5. name of an accredited body that conducts organic observation and certification engaged with an organic farming subject;

11.2.6. official proposals of organic observation and certification bodies regarding the conformity of produced and processed products to organic requirements at organic farming subjects.

11.3. The form and procedure of issuance of a document (certificate) granted to organic farming subjects is defined by a respective executive authority.

Article 12. Accredited bodies on organic observation and certification

12.1. Accredited bodies on organic oversight and certification shall consist of legal persons of state or of private property, get accredited by respective executive authorities and act separately.

12.2. Accredited bodies on organic oversight and certification shall meet the following requirements:

12.2.1. have laboratories supplied with modern equipment and facilities for laboratory analysis of agriculture and food products, raw materials, soil, water, air, pesticides, biological preparations, agro chemical substances, pharmaceuticals, and professional specialists;

12.2.2. not engaged in production, processing, storage, transportation, import, export and sale of organic farming products and not be dependent on organic farming producers.

12.3. Organic observation and certification procedures in organic farming and functions of accredited bodies shall be established by a respective executive authory.

Article 13. Certification in organic farming

13.1. The certification of organic farming and food products is conducted based on official information given by an accredited body on organic observation regarding the ecological processes required in all stages starting from the preparation of soil till the delivery of product to the consumer.

13.2. The subjects engaged in production, processing, packing, storage, transportation and sale of organic farming and food products shall be given certificates if they follow the requirements of national standards established in this area.

13.3. The procedures of certification of organic farming and food products and exemplary forms of certificates shall be determined by a respective executive authority by taking into account the requirements of international standards.

13.4. Marks or figures shall be added to the codes of organic farming and food products, seed cropping and cultivation materials indicating their relevance to this product.

13.5. The organic farming and food products which have passed the organic observation and certification procedures shall be applied national trademark of organic farming and food products in the following cases:

13.5.1. when there is production, processing, packing and marking through the envisioned methods at organic farming;

13.5.2. when subjected to organic observation and certification procedures in all production, processing and circulation stages.

13.6. It is not allowed to put a national trademark of organic farming and food products upon agriculture and food products which do not comply with requirements of organic farming.

Article 14. Standards of organic farming and food products

14.1. The standards of organic farming and food products should meet stricter and mandatory requirements, norms and rules as opposed to traditional agricultural products as per the safety requirements for humans' lives, health, property and environment.

14.2. The standards of organic farming and food products are prepared and approved in the manner envisioned by legislation by a respective executive authority.

14.3. While preparing the standards of organic farming and food products, the requirements of international standards on respective products should be taken into account.

14.4. Respective executive authorities provide the consumers with full and precise information regarding the standards of organic farming and food products, conduct awareness works in this area, and educate public by publishing the list of organic farming subjects in the press.

Chapter IV. Circulation of organic farming and food products

Article 15. Marketing and sale of organic farming and food products

15.1. The sale of organic farming and food products is conducted through the formation of efficient marketing strategy fulfilling the respective function in the transfer of product from the producer to the consumer.

15.2. The basis of efficient marketing strategy in organic farming and food products market is comprised of the size of production and level of commodity, faster spoiling quality of products, location distance of sale markets, expense rate for organizing transportation, storage, and sale, etc.

15.3. Legal or physical person having a certificate confirming the organic nature of organic farming and food products may sell those products as organic product.

15.4. Any person engaged in the circulation of organic farming and food products shall assume responsibility for not mixing those products with traditionally produced products and protecting the specificity of products.

15.5. Organic farming and food products which quality and safety meet the requirements of national standards in the Republic of Azerbaijan, and which have the certificates regarding the origin and quality can be taken out for sale.

15.6. The circulation of organic farming and food products is realized in accordance with procedures established by a respective executive authority by taking into account the requirements of national and international standards.

Article 16. Marking of organic products

16.1. Organic agriculture products shall be marked indicating the words “ECO-transition” and “ECO” words by a respective certification body.

16.2. Products produced until the completion of transition period in organic farming subjects shall be posted with “ECO-transition” mark.

16.3. Colors and sizes used in marking transitional period products should not be different from the description used in the marking of organic farming and food products.

16.4. Products produced after the completion of transitional period to organic farming shall be marked as organic farming and food products and the word “ECO” is indicated over the label.

16.5. When local and imported organic farming and food products are processed in accordance with standards of these products, the obtained product shall be marked as organic farming and food product.

16.6. When organic farming products used for processing are mixed with other agricultural products produced with traditional methods, those processing products are not considered as organic farming and food products and are marked in the general order.

16.7. Marking of organic farming and food products is realized in accordance with respective normative legal acts. The following information should be reflected on the label or on the text of accompanying documents (in open products transported in unpacked way).

16.7.1. name, address and national trademark of production and processing enterprise;
16.7.2. name of product by indicating the application of organic farming;
16.7.3. name and code of accredited bodies on organic observation and certification;
16.7.4. storage conditions of a product;
16.7.5. production date and suitability period;
16.7.6. instruction prohibiting the collection of organic farming and food products together with other products in a warehouse.

16.8. The label posted on a product should indicate the information on meeting requirements imposed for organic agriculture products, and a national trademark prepared in line with respective legislation.

16.9. In order to ensure the right for choice for buyers, there should be information indicated on the label of organic farming and food products taken out for sale in the Republic of Azerbaijan regarding the use of genetically modified organisms and their derivaties in the production of those products.

16.10. The marking procedures of organic farming and food products shall be defined by a respective executive body.

Article 17. Storage and transportation of organic agriculture and food products

17.1. The procedures of storage and transportation of organic farming and food products are established by a respective executive authority.

17.2. Organic farming and food products should not be mixed with products produced with traditional methods in storage places (warehouses, refrigerators) and not be contaminated with unacceptable substances.

17.3. When necessity arises, heating, humidity, pressure and allowable gas medium can be used in the storage of organic farming and food products in the order established by legislation.

17.4. It shall not be allowed to use the substances which may negatively impact the quality of a product and non-natural methods during the storage period of organic farming and food products.

17.5. A regular registration of information regarding all products stored in warehouses is conducted during the circulation process of organic farming and food products, the quality of products is checked regularly by accredited bodies on organic observation and certification, and a copy of conducted registration is given to the persons responsible for storing that product; the rest shall be kept in the accredited bodies on organic observation and certification,

17.6. The means of transport and equipment used in the transportation of organic farming and food products should not contribute to the destruction, mixing of products, and deterioration of their quality, as well as should not enable the conduct of organic observation.

Article 18. Import and export of organic farming and food products

18.1. The Import and export of organic agriculture products shall be conducted in the procedure envisaged with legislation of the Republic of Azerbaijan.

18.2. The import and export of organic farming and food products in the Republic of Azerbaijan shall be conducted by entrepreneurship subjects which have received a relevant document (a certificate) confirming their engagement in the circulation of such products.

18.3. Organic farming and food products can be imported to the Republic of Azerbaijan for sale purposes if:

18.3.1. the quality of imported organic farming and food products conform to the requirements of national and international standards which are in force;

18.3.2. the original of international certificate of imported organic farming and food products accompany the product until the first buyer;

18.3.3. there are documents of an imported product confirming its production according to requirements of organic farming;

18.3.4. there are conformity, quality and phytosanitary certificates of an imported product.

18.4. The label on the organic farming and food products imported to the Republic of Azerbaijan should indicate the information on the usage of genetically modified organisms and their derivatives in their production process.

Chapter V. Financial and scientific provision of organic farming, international cooperation and responsibility for violation of legislation

Article 19. Financial provision of organic farming

19.1. The financial provision of the development of organic farming in the Republic of Azerbaijan is formed on the account of loans, grants, funds obtained through this activity by legal and physical persons and other sources.

19.2. The funding of organic farming development projects through the state budget is defined by relevant legislation of the Republic of Azerbaijan.

19.3. The state shall create enabling economic and legal environment for the attraction of investments to organic farming development projects, for the import of worldwide spread and highly productive plant and animal species, and for the application of scientific achievements and advanced technologies in organic farming.

Article 20. Scientific provision of organic farming

20.1. The main goal of scientific provision of organic farming is to ensure the wide dissemination of pest resistant, locally adapted and highly productive plant and animal species, restore and increase the land fertility, define scientific basis for technologies for preparing organic fertilizers and composts and pave the way for the development of organic farming.

20.2. The scientific provision of organic farming is conducted in the following directions:

20.2.1. training of specialists and qualified personnel on organic farming;

20.2.2. organization of special courses, seminars and conferences in order to constantly increase the qualification of personnel; participation of farmers and specialists in such events conducted abroad;

20.2.3. conduct of scientific-research works;

20.2.4. organization of organic education and public awareness in the organic farming area; dissemination of information transmission;

20.2.5. publication of scientific articles regarding the organic farming, and of magazines and books;

20.2.6. ensure the application of scientific achievements made in this area towards the production; organization of exhibitions and fairs.

20.3. The scientific provision of organic farming is realized by legal and physical persons in the procedure defined by a relevant executive authority.

Article 21. International cooperation in the organic farming area

21.1. International cooperation in the organic farming area is conducted based on international conventions to which the Republic of Azerbaijan is signatory, agreements, treaties, contracts signed with foreign countries and other international legal norms.

21.2. If the rules in the organic farming area established in international agreements to which the Republic of Azerbaijan is signatory are different from those established in this Law, the rules of international agreements shall be applied.

Article 22. Responsibility for the violation of legislation on organic farming

The persons guilty in the violation of legislation on organic farming shall assume responsibility in the procedure envisioned in the legislation of the Republic of Azerbaijan.

Article 23. Settlement of disputes

The disputes associated with production, processing, labeling, storing, transportation and sale of organic farming and food products shall be settled in the procedure in accordance with legislation of the Republic of Azerbaijan.

President of the Republic of Azerbaijan

Ilham Aliyev

Baku city, 13 June, 2008

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