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Organic Agriculture Act

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 RT I 2006, 43, 327
 entry into force 01.01.2007

Amended by the following acts

Reception	Publication	Enforcement
11.01.2007	RT I 2007, 6, 32	01.07.2007
14.02.2007	RT I 2007, 22, 114	01.07.2007
28.01.2009	RT I 2009, 12, 72	01.03.2009
10.06.2009	RT I 2009, 34, 224	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
22/05/2013	RT I, 07.06.2013, 2	01.07.2013
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ subsection 4 of the Government of the Republic Act.
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, on the basis of § 107 ⁴ subsection 2 of the Government of the Republic Act, the word "Ministry of Agriculture" was replaced by the word "Ministry of Rural Affairs" in the corresponding case.
09.11.2016	RT I, 24.11.2016, 1	01.03.2017, in the text of the law, the word "supervisory authority" was replaced by the words "Agricultural Board or Veterinary and Food Board" in the corresponding case.
06.12.2017	RT I, 28.12.2017, 2	01.02.2018
21.11.2018	RT I, 12.12.2018, 3	01.01.2019
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
15.06.2020	RT I, 30.06.2020, 7	01.07.2020
25.11.2020	RT I, 08.12.2020, 1	01.01.2022, partially 01.01.2021
27.10.2021	RT I, 17.11.2021, 1	01.12.2021
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" throughout the text is replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case

Chapter 1 general settings

§ 1. Scope of the Act

(1) This Act stipulates the requirements for operating in the field of organic agriculture, which are not established by the regulations of the European Union, as well as the grounds and scope of state supervision of a person engaged in the field of organic agriculture, as well as the responsibility for violation of the requirements established by the said legislation.

(2) The provisions of the Administrative Procedure Act are applied to the administrative procedure provided for in the European Union legislation and this Act, taking into account Regulation (EU) 2017/625 of the European Parliament and of the Council, which deals with official control and other official actions, which are performed with the aim of ensuring compliance with food and feed legal regulations and animal health and the application of legal regulations on animal welfare, plant health and plant protection products, which amend European Parliament and Council Regulations (EC) No. 999/2001, (EC) No. 396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU) No. 652/2014, (EU) 2016/429 and (EU) 2016/2031, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing European Parliament and Council Regulations (EC) No. 854/2004 and (EC) No. 882/2004, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (official control regulation) (OJ L 95, 07.04.2017, p. 1–142), other legislation of the European Union and specifics of this law.
 [RT I, 30.06.2020, 7 - enters into force. 01.07.2020]

(3) The minister responsible for the field may, within the limits of his competence, establish legal acts for the application of the requirements of organic agriculture in matters which, according to the legislation of the European Union, the member state has the right to decide.

§ 2. Notification of the application of organic farming requirements

(1) In the cases provided for in the legislation of the European Union, the Ministry of Regional Affairs and Agriculture transmits data on the application of organic farming requirements to the European Commission and other member states, unless otherwise provided in this Act.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Act on the Government of the Republic, the word "Ministry of Rural Affairs" has been replaced by the words "Ministry of Regional and Agricultural Affairs"]

(2) For the purposes of this Act, the requirements of organic agriculture are considered to be those in Regulation (EU) 2018/848 of the European Parliament and of the Council, which deals with organic production and labeling of organic agricultural products and which repeals Council Regulation (EC) No. 834/2007 (OJ L 150, 14.06.2018 , p. 1–92), the requirements stipulated in other regulations of the European Union regulating the field of organic agriculture and in this law and legislation issued on its basis.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 3. A person operating in the field of organic agriculture

For the purposes of this Act , a person operating in the field of organic agriculture (hereinafter referred to as *a person*) is a person specified in Article 3, Clause 13 of Regulation (EU) 2018/848 of the European Parliament and of the Council.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 4. Delivery of the decision

If a decision made on the basis of this Act is delivered by post, it may be delivered by registered letter, registered letter or registered letter with delivery notice.

[RT I, 28.12.2017, 2 - enters into force. 01.02.2018]

Chapter 2

COMPANY NOTIFICATION, COMPANY RECOGNITION AND ORGANIC AGRICULTURE REGISTER

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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§ 4 . Notification of the catering company

(1) A person who wishes to engage in the production and marketing of organic food or food containing organic ingredients in a catering establishment shall submit relevant information to the Agriculture and Food Board together with the application for an economic activity notification or activity permit for handling food in a catering establishment based on the Food Act.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(2) A person who, on the basis of the Food Act, has submitted an economic activity notice for handling food in a catering establishment or who holds an activity permit, submits the information specified in subsection 1 of this section to the Agriculture and Food Board before starting the activity specified in subsection 1 in the catering establishment.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(3) A person who renounces the production and marketing of organic food or food containing organic ingredients in a catering establishment shall submit relevant information to the Agriculture and Food Board within 30 working days of the renunciation.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(4) The data specified in this section shall be entered in the register of organic agriculture established on the basis of § 11 (1) of this Act.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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§ 4 . Company notification

(1) The person specified in Article 35, Paragraph 8 of Regulation (EU) 2018/848 of the European Parliament and of the Council shall, before starting the activity, submit relevant information to the Agriculture and Food Board with the following data:

- 1) the person's name, registry or personal identification number, date of birth if there is no personal identification number;
- 2) details of the person's residence or location and place of business and contact details;
- 3) if there is a representative of the person, his name and contact details.

(2) The person specified in subsection 1 of this section, who ceases to operate in the field of organic agriculture, submits relevant information to the Agricultural and Food Board within 30 working days from the termination of operations.

(3) The data specified in this section shall be entered in the register of organic agriculture established on the basis of subsection 11 (1) of this Act.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 5. Company recognition

(1) The company or part of the person specified in Article 34(1) of Regulation (EU) 2018/848 of the European Parliament and of the Council (hereinafter *the company*) must be recognized on the basis of this Act.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) The company of the person specified in Article 35, Paragraph 8 of Regulation (EU) 2018/848 of the European Parliament and of the Council does not have to be recognized if the conditions set forth in this Article are met.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(3) Recognition within the meaning of this Act is a procedure during which the Agriculture and Food Board assesses the company's compliance with the requirements of organic agriculture.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

§ 6. Application for initial recognition

[RT I, 07.06.2013, 2 - entered into force. 01.07.2013]

A person submits an application for the first recognition of a company (hereinafter *the application*) to the Agriculture and Food Board and pays the state fee at the rate specified in the State Fees Act, if he wants to engage in the activities specified in Article 34, paragraph 1 of Regulation (EU) 2018/848 of the European Parliament and of the Council.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 7. Decision on company recognition and refusal of recognition

[RT I, 07.06.2013, 2 - entered into force. 01.07.2013]

(1) If a person applies for recognition to engage in the production of a product belonging to the category specified in points a–c of Article 35(7) of Regulation (EU) 2018/848 of the European Parliament and of the Council, an initial inspection shall be carried out within 60 working days from the date of submission of the application and a decision on the recognition of the company or justified the decision on refusal of recognition is made within 30 working days from the date of the initial inspection.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) If a person applies for recognition for activities specified in Article 34(1) of Regulation (EU) 2018/848 of the European Parliament and of the Council for a product belonging to a category other than that referred to in subsection 1 of this section, a decision on the recognition of the company or a reasoned decision on refusal of recognition shall be made within 30 working days within the period of receipt of the request.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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(2) The recognition decision is a certificate in accordance with Article 35(1) and Annex VI of Regulation (EU) 2018/848 of the European Parliament and of the Council.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

2

(2) The recognition decision is valid until December 31 of the year following the year of making the decision. The decision to recognize a wholesaler trading in products in sales packaging is valid until December 31 of the third year following the year of the decision.

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

(3) The decision on refusal of recognition referred to in subsections 1 and 2 of this section is made if the company is not compliant based on the assessment results.

(4) The requirements of organic farming are fulfilled in the company from the day of submission of the application.

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

(5) The Board of Agriculture and Food decides on its own initiative to make the next recognition decision for a recognized company or to refuse recognition in the year of the expiration of the validity of the current recognition decision, based on the results of that year's supervision. If the grounds provided for in clauses 2-5 of § 9 (1) of this Act appear, the Agricultural and Food Board may refuse to make the next recognition decision.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

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(5) With the announcement of the next recognition decision specified in subsection 5 of this section, the validity of the previous recognition decision made for the company ends.

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

(6) The procedure for applying and processing the application for the first recognition to operate in the field of organic agriculture, as well as the deadline for submitting the application, shall be established by a regulation of the minister responsible for the field .

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

§ 8. Suspension of the validity of the company recognition decision

[Repealed - RT I, 07.06.2013, 2 - entered into force. 01.07.2013]

§ 9. Revocation of the decision to recognize the company

(1) The Board of Agriculture and Food may invalidate the decision to recognize the company, either in whole or in part, if a person:

[RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

- 1) has submitted a corresponding application;
- 2) unable to meet the requirements of organic farming due to the permanent conditions prevailing in the company;
- 3) does not submit the requested data to the Agriculture and Food Board or otherwise prevents supervision;

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

4) intentionally uses substances or products not listed in Article 24(1)(a) or (b) of Regulation (EU) 2018/848 of the European Parliament and of the Council, or genetically modified organisms specified in Article 11(1) for the purpose of fertilization, improvement of soil properties or plant protection or products produced from them or by means of them;

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

- 5) has committed a serious, repeated or ongoing violation of organic farming requirements.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) A product that has been produced and labeled in an enterprise whose recognition decision has been invalidated on the basis of subsection 1 point 1 of this section or whose validity period has expired may be marketed with a label referring to organic farming, if the product has been placed on the market during the validity of the enterprise recognition decision.

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

§ 10. Notification of changes

(1) The person shall notify the Agricultural and Food Board in writing of structural, technological, work organization and other reorganizations that change the conditions prevailing in the company at the time of recognition, as well as the suspension or termination of operations:

[RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

- 1) at least seven days before making the planned change;
- 2) no later than seven days from the date of the change, if the change was made regardless of the person's will, specifying the circumstances of its occurrence.

(2) In the event of a transfer of possession of a recognized company, the recipient of possession who wishes to continue operating in the field of organic agriculture shall notify the Agricultural and Food Board of this in writing within 14 days of the transfer of possession.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(3) If the transfer of ownership of the company takes place in the period from the day of submission of the application for recognition to the day of making the decision on recognition of the company, the recipient of the ownership, who wishes to continue operating in the field of organic agriculture, shall notify the Agriculture and Food Board of this in writing within 14 days of the transfer of ownership.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

§ 11. Register of organic agriculture

(1) The organic agriculture register (hereinafter *the register*) is established and its statutes are established by the minister responsible for the field by regulation.

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

(2) The responsible processor of the register is the Ministry of Regional Affairs and Agriculture. The authorized processor is designated in the statute of the register.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Act on the Government of the Republic, the word "Ministry of Rural Affairs" has been replaced by the words "Ministry of Regional and Agricultural Affairs"]

(3) The purpose of the register is to keep records of persons and their companies, which have been recognized on the basis of this Act or have been notified in accordance with this Act, in order to effectively supervise the fulfillment of organic agricultural requirements.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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(3) The person's name, register or personal identification number, date of birth if there is no personal identification number, details of his residence or place of business and his contact details, if there is a representative of the person, his name and contact details and details of the person's company recognized on the basis of this Act are entered in the register, or about the company that has been notified in accordance with this Act.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(4) [Repealed - RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

(5) The person about whom the data is entered in the register shall pay a state fee for the supervision activities.

(6) The information specified in Article 51 of Regulation (EU) 2018/848 of the European Parliament and of the Council shall be forwarded to the European Commission by Statistics Estonia.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

Chapter 3 ORGANIC AGRICULTURAL PRODUCTION [RT I 2009, 12, 72 - entry into force. 01.03.2009]

§ 12. Organic agricultural production

The requirements for organic agricultural production, including the information to be submitted for the continuation of the activity and the deadline for submitting the information, are established by the minister responsible for the field .

[RT I 2009, 12, 72 - entry into force. 01.03.2009]

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§ 12 . Preparation of organic food and food containing organic ingredients in the catering business and providing information on the use of organic ingredients and keeping records

(1) When preparing organic food in a catering establishment, the requirements set forth in Articles 7 and 11 of Regulation (EU) 2018/848 of the European Parliament and of the Council shall be met.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) In a catering establishment where food is prepared, the agricultural ingredients of which are at least 95 percent organic and which meets the requirements of Article 16 of Regulation (EU) 2018/848 of the European Parliament and of the Council, information referring to organic agriculture may be provided in the name of the food.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(3) Information about the use of organic agricultural ingredients in food may be presented in a catering establishment as follows:

- 1) organic agricultural ingredients are mentioned in the list of food ingredients on the menu;
- 2) the organic ingredients used in all the dishes on the menu are mentioned in the menu in general;
- 3) information is provided on the percentage share of organic agricultural products, which is calculated based on the amount or cost of agricultural products brought to the company for food preparation last month.

(4) A record is kept of the organic agricultural products brought to the company for food preparation. In case of submission of information in accordance with subsection 2 and subsection 3, points 1 and 2 of this section, a record is also kept of each food and the organic agricultural ingredients used in it.

(5) In the event that a catering company abandons the use of organic agricultural ingredients in food, the provision of information referring to organic agriculture and the use of organic agricultural ingredients, including the use of a sign indicating the use of organic agricultural products, shall be stopped immediately, and the Agriculture and Food Board shall be notified thereof.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(6) More precise requirements for the preparation of organic food and food containing organic ingredients in a catering establishment, as well as more precise requirements for submitting information and keeping records on the use of organic products and organic ingredients brought to the catering establishment and keeping records, shall be established by a regulation of the minister responsible for the field .

[RT I, 24.11.2016, 1 - enters into force. 01.03.2017]

§ 13. A sign referring to organic agriculture

(1) Agricultural products and fodder produced and prepared in accordance with the requirements of organic farming in a company

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recognized on the basis of this Act or a company that has been notified pursuant to § 4 of this Act may use the mark referring to organic farming established on the basis of this Act.

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

(2) The standard description of the mark referring to organic agriculture and the procedure for using the mark shall be established by the minister responsible for the field .

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§ 13 . Referring to the use of organic products in the catering establishment

(1) In a catering establishment, the information according to § 12 (1) (3) (3) of this Act is provided using a statement referring to the use of organic agricultural products and a range of three percentages. A label with a percentage range indicating the use of organic agricultural products may be used to provide this information.

(2) The percentage share range shows the share of organic agricultural products brought to the company for food preparation last month, which is calculated based on the quantity or cost of agricultural products brought to the company last month.

(3) Information referring to the use of organic agricultural products in the catering establishment is not presented and the mark is not used in food labeling, in the same field as the name of the food in the menu, or in the list of ingredients.

(4) The ranges of the percentage share indicating the use of organic agricultural products in the catering establishment and the more precise requirements for the submission of information, including the standard description of the mark indicating the use of organic agricultural products and the procedure for using the mark shall be established by a regulation of the minister responsible for the field .

[RT I, 24.11.2016, 1 - enters into force. 01.03.2017]

§ 14. Making exceptions to the requirements of organic agriculture

(1) Permitted exceptions to the requirements for operating in the field of organic agriculture provided for in Regulation (EU) 2018/848 of the European Parliament and of the Council may be made with the consent of the Board of Agriculture and Food.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) The Agriculture and Food Board decides whether to grant or refuse the consent specified in subsection 1 of this section within 10 working days of receiving the relevant application.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

§ 15. Use of conventional seed and seed potatoes in the production of organic agricultural products

[Repealed - RT I, 08.12.2020, 1 - entered into force. 01.01.2022]

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§ 15 . Collection of data on market availability of organic plant reproductive material and organic livestock

(1) The collection of data specified in Article 26, subsections 1 and 2 of Regulation (EU) 2018/848 of the European Parliament and of the Council is organized by the Agriculture and Food Board.

(2) The information specified in Article 53(6) of Regulation (EU) 2018/848 of the European Parliament and of the Council is forwarded to the European Commission and other member states by the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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§ 15 . Organic heterogeneous propagating material

(1) The responsible authority specified in Article 13(2) of Regulation (EU) 2018/848 of the European Parliament and of the Council is the Agriculture and Food Board.

(2) Organic heterogeneous propagating material recognized as meeting the requirements set forth in Article 13(2) of Regulation (EU) 2018/848 of the European Parliament and of the Council shall be entered in the variety sheet specified in § 24 of the Plant Propagation and Variety Protection Act (hereinafter *the variety sheet*) by the Agriculture and Food Board.

(3) If the Board of Agriculture and Food has determined that organic heterogeneous propagating material does not meet the requirements set out in Article 13(2) of Regulation (EU) 2018/848 of the European Parliament and of the Council, it makes a decision to refuse to include this propagating material in the variety sheet.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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§ 15 . An organic variety suitable for organic production

An organic variety suitable for organic production is a variety defined in point 19 of Article 3 of Regulation (EU) 2018/848 of the European Parliament and of the Council, for which an appropriate entry has been made in the variety sheet and in the variety register established on the basis of § 57 (1) of the Plant Propagation and Variety Protection Act.
[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 16. Import of organic agricultural product

(1) The import of an organic agricultural product within the meaning of this Act is the application of the customs procedure of release for free circulation to an organic agricultural product delivered to Estonia from a country or territory located outside the customs territory of the European Union (hereinafter *a non-EU country*).

[RT I, 30.06.2020, 7 - enters into force. 01.07.2020]

(2) The importer shall notify the Agriculture and Food Board at least 24 hours in advance of the planned import of an organic agricultural product.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(3) [Repealed - RT I, 08.12.2020, 1 - entry into force. 01.01.2022]

(4) In order to release the goods from customs supervision, the importer submits to the customs officer, together with the accompanying documents of the consignment, a control certificate in accordance with the implementing act adopted on the basis of paragraph 4 of the same article and approved by the Agriculture and Food Board for the product in accordance with Article 45(1)(b) of Regulation (EU) 2018/848 of the European Parliament and of the Council.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(5) The relevant authority specified in the legislation established on the basis of Article 48(4) of Regulation (EU) 2018/848 of the European Parliament and of the Council is the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

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§ 16 . Border point

It is allowed to deliver an organic agricultural product to Estonia from a non-Union country through a border point determined in accordance with the procedure provided for in the Food Act, the Feed Act, the Plant Protection Act or the Veterinary Act, according to which animal or commodity category the organic agricultural product belongs to.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

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§ 16 . Place of official inspection of the imported organic product

An official inspection of the imported organic agricultural product may be carried out at the place of official inspection determined in accordance with the procedure provided for in the Food Act, the Feed Act, the Plant Protection Act or the Veterinary Act, according to which animal or commodity category the organic agricultural product belongs to.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

Chapter 4 STATE SUPERVISION

§ 17. State supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) State supervision over compliance with the requirements of the relevant legislation of the European Union, this Act and the legislation established on the basis thereof is carried out by the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(2) [Repealed - RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

(3) [Repealed - RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

(4) The code number specified in Article 4(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council shall be established by a regulation of the minister responsible for the field .

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(5) [Repealed - RT I, 08.12.2020, 1 - entry into force. 01.01.2021]

§ 18. Performing state supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) The law enforcement body may apply the special measures of state supervision provided for in §§ 30, 32, 49, 50 and 51 of the Law Enforcement Act in order to carry out the state supervision provided for in this Act, on the basis and in the manner provided for in the Law Enforcement Act.

(2) If the residential premises are also used as business premises, the law enforcement body may inspect it during working hours or when it is open without the permission of the administrative court provided for in § 51 subsection 2 of the Law Enforcement Act.

(3) The law enforcement body may take samples at the expense of the person during the examination of movable property. If the inspected movable property cannot be used normally after the inspection, the person will not be compensated for the movable property or the cost of restoring the movable property to normal use.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 19. Injunction

[Repealed - RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

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4 . chapter
OFFICIAL CHECK

[RT I, 30.06.2020, 7 - enters into force. 01.07.2020]

1
§ 19 . Organization of official control

(1) Official control related to organic agricultural production and labeling of organic agricultural products is organized based on the control plan drawn up in accordance with Article 109 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(2) The data provided for in Article 11(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council regarding the results of official inspections are published on the website of the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(3) The authority coordinating the preparation of the multi-annual control plan referred to in Article 109 of Regulation (EU) 2017/625 of the European Parliament and of the Council is the Agriculture and Food Board. The Agriculture and Food Board submits a multi-year inspection plan and a plan implementation report to the European Commission in accordance with Article 113 of the aforementioned regulation.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(4) The Agriculture and Food Board participates in the preparation of the multi-year control plan specified in Article 109 of Regulation (EU) 2017/625 of the European Parliament and of the Council, the coordinating body of which and the submitter of the plan report is the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(5) The Board of Agriculture and Food is the contact authority for the supervisory cooperation of organic production and labeling of organic agricultural products within the meaning of Article 103 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

(6) Other law enforcement body, administrative body or government institution shall immediately forward information to the Agriculture and Food Board about the following possible violations of organic farming requirements:

[RT I, 08.12.2020, 1 - effective. 01.01.2021]

1) a violation that may pose a threat to the health of an animal or a person or the well-being of an animal or the environment;

2) a violation committed by knowingly creating an incorrect perception of the actual circumstances.

[RT I, 30.06.2020, 7 - enters into force. 01.07.2020]

2
§ 19 . Sampling and analysis

(1) When performing an official inspection and other official action, samples are taken on the basis and according to the procedure provided in the Food Act, the Feed Act, the Plant Protection Act or the Veterinary Act according to which animal or commodity category the organic agricultural product belongs to.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) Samples taken during official inspection and other official actions shall be analyzed in accordance with the procedure provided for in the Food Act, the Feed Act, the Plant Protection Act or the Veterinary Act, and in the laboratory designated on the basis of said laws, according to which animal or commodity category the organic agricultural product belongs to.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) Data on the laboratory, where samples taken during official control and other official actions are analyzed, are published on the website of the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

Chapter 5
RESPONSIBILITY

§ 20. Violation of organic farming requirements

(1) Knowingly marketing a product with a label referring to organic farming, which is not produced or prepared in accordance with the requirements of organic farming, -

shall be punished with a fine of up to 300 fine units.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

(2) For the same act, if it has been committed by a legal entity, -

shall be punished with a fine of up to 32,000 euros.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 21. Procedure

(1) [Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

(2) The non-judicial administrator of the misdemeanor provided for in § 20 of this Act is the Agriculture and Food Board.

[RT I, 08.12.2020, 1 - enters into force. 01.01.2021]

Chapter 6
IMPLEMENTATION PROVISIONS

§ 22. Repeal of the Organic Agriculture Act

[Omitted from this text.]

§ 23. Application of the law

(1) A company recognized on the basis and procedure of the Organic Agriculture Act in force until then shall be considered recognized on the basis and procedure of this Act.

(2) The register of organic agriculture established on the basis of § 16 (1) of the Organic Agriculture Act (RT I 2001, 42, 235; 2002, 63, 387) shall be deemed to be the register of organic agriculture specified in subsection 11 (1) of this Act.

(3) The company of a person engaged in the marketing of unpackaged organic agricultural products to the final consumer must be recognized by September 1, 2009.

[RT I 2009, 12, 72 - entry into force. 01.03.2009]

(4) The recognition decision issued before March 1, 2009 is valid until it is revoked or, as a result of the company's compliance check, until it is replaced in accordance with Article 29 of Council Regulation (EC) No. 834/2007 and Annex XII of Commission Regulation (EC) No. 889/2008 by decision during 2009.

[RT I 2009, 12, 72 - entry into force. 01.03.2009]

(5) A catering establishment recognized on the basis of this Act, whose recognition decision is valid as of June 30, 2013, shall be

deemed to be a catering establishment notified in accordance with § 4 1

of this Act as of July 1, 2013 .

[RT I, 07.06.2013, 2 - enters into force. 01.07.2013]

(6) A company of a person specified in Article 35, subsection 8 of Regulation (EU) 2018/848 of the European Parliament and of the Council, which meets the conditions set forth in this article and is recognized on the basis of this Act, and whose recognition decision is

valid as of January 1, 2022, is considered as of as of the date of the company, which has been notified in accordance with § 4 ² of this Act .

[RT I, 08.12.2020, 1 - enters into force. 01.01.2022]

§ 24. Permit to market an imported organic agricultural product

[Repealed - RT I, 30.06.2020, 7 - entered into force. 01.07.2020]

§ 25. Amendment of the State Fees Act

[Omitted from this text.]

§ 26. Entry into force of the law

This Act enters into force on January 1, 2007.