

ESTONIA - Organic Agriculture Act

(Repealed - 11.04.2001 entered into force 01.05.2001 - RT I 2001, 42, 235)

Passed 11 June 1997 (RT* I 1997, 51, 823),

entered into force 17 July 1997, amended by the following Acts:

16.05.2000 entered into force 05.06.2000 - RT I 2000, 40, 252

25.02.99 entered into force 1.01.2000 - RT I 1999, 30, 415.

Chapter 1 - General Part

§ 1. Purpose of Act

(1) The purpose of this Act is to organise a system which assures the quality of organic, that is, ecologically or biodynamically grown and handled, foodstuffs and the development of environmentally sustainable agriculture.

(2) This Act promotes the sustainability of the environment by restricting the use of fertilizers and pesticides in the handling of organic foodstuffs, and facilitates the preservation of the natural fertility of the soil, the ensurance of biological diversity and the continued use of semi-natural grasslands.

§ 2. Scope of application of Act

(1) This Act provides for the handling of and quality requirements for organic foodstuffs, quality control and state supervision over organic foodstuffs, and the sanctions which may be imposed on persons who violate the requirements arising from this Act or legislation established on the basis thereof.

(25.02.99 entered into force 1.01.2000 - RT I 1999, 30, 415)

(2) The handling and quality requirements for organic foodstuffs shall be applied with respect to organic foodstuffs produced for the domestic market and to imported and exported organic foodstuffs.

§ 3. Definitions used in Act

In this Act, the following definitions are used:

1) "organic agriculture" means agriculture (plant production and animal husbandry) based on the laws of nature and renewable natural resources, in respect of which it is prohibited to use chemically treated substances or unnaturally handled or concentrated substances or to create above standard contents of compounds which do not exist in nature in foodstuffs;

2) "organic foodstuffs" means foodstuffs as defined in the Food Act which are organically handled and which the handlers of organic foodstuffs are permitted to label with the ecolabel pursuant to the procedure provided by this Act or legislation established on the basis thereof.

(25.02.99 entered into force 1.01.2000 - RT I 1999, 30, 415)

3) "handler of organic foodstuffs" means a person who has a certificate recognised by the state concerning completion of training related to the handling of organic foodstuffs in the area in which the person operates and who has the right, pursuant to legislation, to use the ecolabel on the foodstuffs or packaging handled by the person.

4) "ecolabel" means a label issued and approved on the basis of this Act which authorised handlers may use to distinguish organic foodstuffs from other similar types of foodstuffs; foodstuffs which comply with the requirements set for organic foodstuffs and the constancy of which is inspected and documented are designated with the ecolabel.

Chapter 2 - Ecolabel and Ecolabel Authorisation

§ 4. Ecolabel and right to issue ecolabel authorisations

(1) The standard description, conditions of issue and the procedure for use of the ecolabel shall be established by the Government of the Republic.

(2) Authorisations to use the ecolabel may be issued by legal persons in private law who are granted the right to issue authorisations to use the ecolabel (hereinafter issuer of ecolabel authorisations).

(3) In order to obtain the right to issue ecolabel authorisations, an applicant shall submit the following to the Ministry of Agriculture:

1) a corresponding application;

2) the articles of association and foundation documents of the applicant;

3) a description of activities to date;

4) the procedure for exercising supervision over the issue of ecolabel authorisations and over the activities of persons who receive ecolabel authorisations.

5) the standards established for organic foodstuffs;

6) an overview of the measures which enable the performance of duties arising from this Act and legislation established on the basis thereof.

(4) The information set out in an application to obtain the right to issue ecolabel authorisations shall be inspected by the supervisory authorities provided for in § 24 of this Act. Thereafter, the application shall be reviewed by the permanent organic agriculture committee at the Ministry of Agriculture, which shall formulate a reasoned proposal based on this Act or legislation established on the basis thereof concerning the grant of or refusal to grant the right to issue ecolabel authorisations. In making a proposal, the committee shall consider the facts set out in the application and documents appended thereto, and the opinion of the supervisory authority which inspected the applicant.

(5) The Minister of Agriculture shall decide to grant or to refuse to grant the right to issue ecolabel authorisations, considering the proposal of the organic agriculture committee. The applicant shall be notified of the decision in writing.

(6) A person who obtains the right to issue ecolabel authorisations shall pay state fees in the amount provided for in the State Fees Act (RT 1990, 11, 118; RT I 1995, 36, 465; 57, 981; 58, 1005; 61, 1028; 87, 1540; 1996, 3, 56; 38, 752; 40, 773; 42, 811; 45, 848 and 851; 49, 953; 51, 969; 80, 1435; 1997, 5/6, 32; 34, 535).

§ 5. Organic agriculture committee

(1) The organic agriculture committee shall be formed by the Minister of Agriculture, who shall establish the procedure for application for the right to issue ecolabel authorisations, the organisation of the work of the committee and the conditions for remuneration of the members of the committee.

(2) The committee shall meet as required but not less frequently than once per quarter.

(3) The following is within the competence of the committee:

- 1) review of applications for the right to issue ecolabel authorisations;
- 2) review of proposals to revoke the right of issuers of ecolabel authorisations to issue such authorisations;
- 3) pre-trial resolution of any disputes between handlers of organic foodstuffs and issuers of ecolabel authorisations;
- 4) other duties arising from this Act and legislation established on the basis thereof.

§ 6. Grant of ecolabel authorisations to handlers of organic foodstuffs

In accordance with this Act and legislation established on the basis thereof, issuers of ecolabel authorisations shall establish the procedure for application for and issue of ecolabel authorisations. Ecolabel authorisations shall be granted to their own members and other handlers of organic foodstuffs pursuant to the specified procedure.

§ 7. Duties of issuers of ecolabel authorisations

(1) Issuers of ecolabel authorisations are required to:

- 1) organise the training and consultation of applicants for ecolabel authorisations and handlers with ecolabel authorisations;
- 2) maintain records of issued ecolabel authorisations and collect, systematise and store information submitted by handlers pursuant to this Act;
- 3) inform the Ministry of Agriculture of every application for an ecolabel authorisation and every issued authorisation within ten days after receipt of an application or issue of an authorisation;
- 4) regularly but not less frequently than twice a year, inspect handlers with ecolabel authorisations to whom the issuer has issued ecolabel authorisations.

(2) Issuers of ecolabel authorisations shall preserve documents certifying the performance of duties specified in subsection (1) of this section for at least three years and submit them for inspection at the request of the Ministry of Agriculture or supervisory authorities.

(3) If, during the inspection of a handler, an issuer of ecolabel authorisations discovers a failure to comply or unsatisfactory compliance with the requirements arising from this Act or legislation established on the basis thereof, the issuer shall inform the supervisory authorities of such circumstances.

§ 8. Use of ecolabel

Handlers who have an ecolabel authorisation may use the ecolabel with foodstuffs or on packaging that they handle in order to distinguish them from other similar types of foodstuffs, and in advertising organic foodstuffs or notifying the public of such foodstuffs in some other manner.

Chapter 3 - Organic Agriculture

§ 9. Organic plant production

(1) Organic plant production is based on crop rotation which shall include a growing cycle of leguminous plants. Organic plant production as defined in this Act occurs if the requirements arising from this Act and legislation established on the basis thereof are observed in plant production and handlers who have an ecolabel authorisation are engaged in organic plant production.

- (2) Seeds and planting material which have not been treated with chemicals or modified genetically and are correspondingly labelled or have passed through a conversion period shall be used when choosing seeds and planting material.
- (3) Cultivation practices which increase the humus content and biological activity of the soil and improve the physical structure of the soil shall be used in organic plant production. Manure and liquid manure may be used for fertilizing only if they are composted and in amounts which do not exceed the nutritional requirements of the plants.
- (4) Weed control is based on the correct choice of crop rotation and the use of mechanical, thermal and electrical control methods. The use of chemical weed killers is prohibited. Pest and disease control shall be based on raising the natural resistance and balancing the natural community of plants. Biocontrol methods may be used.
- (5) The Minister of Agriculture shall approve the list of substances, plant protection products and methods which are permitted in fertilization, and weed, pest and disease control.
- (6) If methods for plant disease or pest control permitted in organic agriculture yield no results, conventional methods may be used as an exception. In such case, the producer of organic foodstuffs who has an ecolabel authorisation shall inform the issuer of ecolabel authorisations thereof in advance. Foodstuffs handled in such a manner are not permitted to be labelled with the ecolabel and the handler shall duly prevent such foodstuffs from being included among organic foodstuffs.
- (7) Handlers who have an ecolabel authorisation are prohibited from growing the same plant species and their cultivars at the same time using both organic and conventional land cultivation.

§ 10. Organic animal husbandry

- (1) Organic animal husbandry as defined in this Act occurs if the requirements arising from this Act and legislation established on the basis thereof are observed in animal husbandry and handlers who have an ecolabel authorisation are engaged in organic animal husbandry.
- (2) Provisions regulating organic animal husbandry also extend to poultry farming, fish farming and apiculture unless the nature of the provision suggests otherwise.
- (3) Unlimited purchase of animals is permitted from other handlers with the ecolabel. The following may be purchased from handlers who use conventional methods:
 - 1) calves of up to seven days of age fed on mother's milk;
 - 2) chicks of up to one day of age;
 - 3) other animals to complete a herd, up to 10 per cent, based on the given herd during a year.
- (4) Animals shall be fed on animal feedingstuffs (feed) which have the ecolabel. Other feed is permitted to be used to the extent of 20 per cent of the total amount of feed. In such case, the feed must have a certificate of conformity and, in the case of importation, also a certificate of origin or a notarised copy thereof. A handler with an ecolabel authorisation who purchases and uses other feed is required to inform the issuer of ecolabel authorisations thereof.
- (5) Keeping of animals shall be based on the behavioural needs of animals and specific characteristics of species, and natural treatment methods shall be preferred in the treatment of animals. Embryo transfer, prophylactic treatment by means of chemotherapy and the use of hormone preparations are prohibited.
- (6) Pollution of the environment with waste products from animal husbandry shall be avoided in organic animal husbandry.
- (7) The Minister of Agriculture shall approve the list of feed additives, preservatives, medicinal products and maintenance products permitted in organic animal husbandry, and recommendations concerning the keeping of animals.
- (8) Animals purchased pursuant to clause (3) 3) of this section shall not be sold as organic products before two years have passed after their purchase.

§ 11. Training for handlers of organic foodstuffs

- (1) Training in the handling of organic foodstuffs may be carried out and a certificate recognised by the state concerning completion of training may be issued by all educational institutions which have an appropriate activity licence. The aforementioned educational institutions and persons with a certificate recognised by the state concerning completion of a training program for consultants may engage in the provision of consulting services.
- (2) The Minister of Agriculture shall, in concordance with the Minister of Education, approve the requirements for educational institutions engaged in training in organic agriculture and for a training program for consultants in organic agriculture.

§ 12. Conversion to production of organic foodstuffs

- (1) After termination of the use of mineral fertilizers and pesticides, and submission of an application to obtain an ecolabel authorisation, the conversion period to the production of organic foodstuffs is generally two years. In addition to the application, handlers wishing to commence conversion to the production of organic foodstuffs are required to prepare and submit the following to an issuer of ecolabel authorisations:
 - 1) an overview of the initial status together with a report concerning technical equipment;
 - 2) an activity plan and schedule for the conversion period.

- (2) During the conversion period, the issuer of ecolabel authorisations and supervisory authorities shall monitor compliance with the requirements arising from this Act and legislation established on the basis thereof and implementation of the activity plan and schedule for the conversion process submitted to obtain an authorisation.
- (3) As an exception, an issuer of ecolabel authorisations may consider the conversion period to be passed before two years have passed after submission of an application to obtain an ecolabel authorisation if a handler proves that the handler:
- 1) terminated the use of mineral fertilizers and pesticides, and commenced conversion to the production of organic foodstuffs at least two years before submission of an application to obtain an ecolabel authorisation;
 - 2) commenced engagement in the handling of organic foodstuffs on land on which no fertilizers or pesticides had been used during the preceding two years.
- (4) If a handler with an ecolabel authorisation uses conventional methods pursuant to subsection 9 (6) of this Act for plant disease or pest control, the handler shall pass through a conversion period with a duration of one year after termination of such methods. Foodstuffs handled during the conversion period shall not be labelled with the ecolabel.

Chapter 4 - Handling of Organic Foodstuffs

§ 13. General requirements

- (1) Organic foodstuffs shall comply with the requirements for the handling and quality and safety of foodstuffs established in the Food Act, other Acts regulating the handling of foodstuffs and legislation established on the basis thereof. In the handling of organic foodstuffs, compliance with environmental protection requirements, including environmentally safe handling of created waste, shall be ensured.
- (2) Organic foodstuffs shall be handled according to the requirements established in this Act and legislation adopted on the basis thereof in a manner which assures the quality which is characteristic of organic foodstuffs.
- (3) Handlers shall prevent the mixing of foodstuffs which have the ecolabel and other foodstuffs. Upon the sale of organic foodstuffs or transfer thereof to the next handler in another manner, a handler shall include a certificate of conformity with the lot of foodstuffs. In the case of retail sales of organic foodstuffs, a handler is required to present the aforementioned documents at the request of a consumer. An issuer of ecolabel authorisations shall be informed of the movement of a lot of organic foodstuffs from handlers to consumers.
(25.02.99 entered into force 1.01.2000 - RT I 1999, 30, 415)
- (4) Handlers of organic foodstuffs are prohibited from handling similar types of foodstuffs without an ecolabel on the same arable land, in production rooms, warehouses and other rooms related to production.
- (5) The Minister of Agriculture shall approve the requirements for handling organic foodstuffs.

§ 14. Processing of organic foodstuffs

- (1) In the processing of organic foodstuffs, it is prohibited to use:
- 1) ionizing radiation and non-ionizing high frequency radiation;
 - 2) synthetic substances and chemicals which do not exist in nature;
 - 3) genetically modified organisms.
- (2) All ingredients of agricultural origin in organic foodstuffs shall be handled in compliance with the requirements for organic handling. As an exception, agricultural produce which is not available as an organic product may, on the basis of a temporary permit issued by an issuer of ecolabel authorisations, be used as an ingredient in the handling of foodstuffs sold as organic food. The term of such permit may be shortened upon discovery that it is possible to purchase the produce as an organic product.
- (3) If the technology for processing organic foodstuffs prescribes the use of ingredients which cannot be purchased as products bearing ecolabels, the ingredients permitted by legislation may be used such that they account for not more than 5 per cent of the ingredients necessary for preparation of the foodstuffs, and the issuer of ecolabel authorisations is informed thereof in advance. The Minister of Agriculture shall approve the list of permitted additives.

§ 15. Transportation and preservation of organic foodstuffs

- (1) Organic foodstuffs may be transported to another handler only in grouped packaging or separate containers which prevent the content thereof from being replaced by other foodstuffs and which bear a label in accordance with the Consumer Protection Act (RT I 1994, 2, 13; 1995, 20, 297; 1996, 49, 953; 1997, 93, 1561; 1999, 10, 156; 24, 359), the Packaging Act (RT I 1995, 47, 739; 1997, 59, 836), the Food Act and legislation established on the basis thereof.
- (2) Upon transportation of organic foodstuffs, documents which contain information which permits identification of the producer shall accompany the lot of goods: the name, address and commercial registry code of the producer of the foodstuffs, the registration numbers of the handling permit for the foodstuffs and the ecolabel authorisation, and a description of the lot of goods.
- (3) Upon accepting organic foodstuffs, a handler shall inspect the packaging or container to determine whether it is sealed and labelled as required. If, in the course of an inspection, it remains unclear whether the producer of the foodstuffs is under state supervision or whether the producer has the right to use the ecolabel, the foodstuffs shall not be

handled further before clarification of their origin except if the foodstuffs are sold without use of the ecolabel or reference thereto.

(4) The Minister of Agriculture shall approve the list of the means and methods permitted for cleaning means of transport used for the transportation of organic foodstuffs and prevention of the spread of pests.

§ 16. Marketing of organic foodstuffs

(1) Upon marketing of organic foodstuffs, the requirements arising from this Act and legislation established on the basis thereof shall be observed in order to ensure the preservation of quality which is characteristic of organic foodstuffs to the greatest extent possible.

(2) Traders engaged in retail trade who market foodstuffs obtained by means of different production methods are required to allocate a specially designated space or room for the sale of organic foodstuffs.

§ 17. Exportation of organic foodstuffs

(1) Handlers with an ecolabel authorisation may export organic foodstuffs. Exporters shall inform the issuer of ecolabel authorisations and the supervisory authorities of each lot of foodstuffs to be exported. The information shall contain information which permits identification of the producer, the name and quantity of the foodstuffs, the name of the buyer and country of destination.

(2) The supervisory authorities have the right to take samples of the foodstuffs to be exported for analysis.

§ 18. Importation of organic foodstuffs

(1) Handlers who wish to commence the importation of organic foodstuffs shall inform the supervisory authorities thereof. The information shall contain:

- 1) information concerning organisations of foreign states which possess the ecolabel, the established handling rules of such organisations, and the organisations exercising supervision.
- 2) information about traders under inspection who handle food products to be exported and who have the right to use the ecolabel.
- 3) information about foodstuffs sold with the ecolabel.

§ 19. Granting ecolabel authorisation to importer of organic foodstuffs

(1) A decision concerning the grant of an ecolabel authorisation to an importer of organic foodstuffs shall be based on compliance of the requirements established for organic handling methods in a foreign state with the requirements in force in Estonia, and particular attention shall be paid to:

- 1) guarantees pertaining to the foodstuffs to be exported from the foreign state and adherence to the requirements for organic handling in the handling of the foodstuffs to be imported;
- 2) the effectiveness of the inspection to be carried out, particularly regarding foodstuffs to be exported.

(2) In order to obtain an ecolabel authorisation for organic foodstuffs to be imported, an importer shall:

- 1) prepare a report on legislation regulating the handling of organic foodstuffs in force in the foreign state and on handlers of foodstuffs, the foodstuffs to be imported, the location of arrival thereof in Estonia and the rooms to be used for storage;
- 2) set out all necessary procedures which the importer of foodstuffs shall conduct in order to fulfil the requirements arising from legislation.

(3) The documents described in subsection (2) of this section shall be submitted to an issuer of ecolabel authorisations.

§ 20. Notification of import

(1) An importer shall maintain separate records for every lot of foodstuffs conveyed from a foreign state so that the issuer of ecolabel authorisations and supervisory authorities are able to identify:

- 1) the place of origin, quantity and characteristics of the lot of foodstuffs, and all details pertaining to the transportation of the lot of foodstuffs from the handler in the foreign state to the warehouses of the importer;
- 2) the quantity, relevant information concerning and consignee of the lot of foodstuffs, and all details pertaining to the transportation of the lot of foodstuffs from the warehouses of the importer to the purchaser of the foodstuffs.

(2) (Repealed - 25.02.99 entered into force 01.01.2000 - RT I 1999, 30, 415)

(3) If imported organic foodstuffs are held in warehouses where other agricultural produce and products are also handled:

- 1) they shall be stored separately from other food products in sealable rooms;
- 2) all requirements for distinguishing lots of foodstuffs and products which are not handled organically shall be complied with in order to prevent mixing.

(4) Importers of organic foodstuffs shall enable issuers of ecolabel authorisations and representatives of the supervisory authorities entry into their warehouses. If the warehouse of an importer is in the territory of another state, the importer shall allow entry by representatives of the organisation exercising supervision in the appropriate area in that state.

§ 21. Updating of information

All information to be submitted pursuant to this Act to issuers of ecolabel authorisations, the supervisory authorities or the Ministry of Agriculture shall be updated by the submitter once a year.

Chapter 5 - Quality Assurance, State Supervision and Liability of Handlers of Organic Foodstuffs

§ 22. Advertising of organic foodstuffs and labelling of packaging of organic foodstuffs

(1) The ecolabel may only be used upon labelling of the packaging of foodstuffs and upon advertising of foodstuffs if:

- 1) all ingredients of agricultural origin of the foodstuffs are grown or handled in compliance with the requirements for organic handling;

- 2) a trader has the right to use the ecolabel;

- 3) only substances permitted by legislation are used as ingredients of non-agricultural origin or as technological aids in the foodstuffs;

- 4) ingredients which are not organic account for not more than 5 per cent of the ingredients in the foodstuffs;

- 5) the foodstuffs or ingredients thereof have not been treated by ionizing radiation or non-ionizing high frequency radiation during the handling process;

- 6) the foodstuffs bear a label bearing the ecolabel, the name and address of the handler and the name of the supervisory authority;

- 7) the foodstuffs to be sold are transported and transferred to the wholesaler in sealed packaging;

- 8) the handler who has imported the food products has the right to use the ecolabel, the imported food products are labelled with the ecolabel, and the first or last handler of the food is known;

(2) If organically handled ingredients have been only partially used in preparation of foodstuffs, the notation "This product contains organic ingredients" may be used in labelling and advertising if:

- 1) at least 70 per cent of the ingredients are handled according to the requirements for organic agriculture;

- 2) other ingredients of the foodstuffs are substances permitted by legislation;

- 3) the foodstuffs have not been treated by ionizing radiation or non-ionizing high frequency radiation during the handling process;

- 4) the ingredients in the foodstuffs are presented in decreasing order according to their proportion in the foodstuffs, and the lists of ingredients without the ecolabel are specified separately from the organically handled ingredients;

- 5) the lists of ingredients are in the same size, font and colour of print.

(3) If less than 70 per cent of the ingredients in foodstuffs bear the ecolabel, the handler is not permitted to refer to the components of organic foodstuffs contained in the foodstuff.

§ 23. Duties of handlers of organic foodstuffs

(1) Handlers of organic foodstuffs are required to inspect the quality of foodstuffs regularly pursuant to the Food Act and legislation established on the basis thereof.

(25.02.99 entered into force 1.01.2000 - RT I 1999, 30, 415)

(2) Each year, handlers of organic foodstuffs shall, depending on their areas of activity, prepare and, at the request of issuers of ecolabel authorisations or supervisory authorities, submit:

- 1) a separate production plan for foodstuffs of vegetable origin for each plot of land used for cultivation;

- 2) a production plan for foodstuffs of animal origin by animal species and feed;

- 3) the forecasted amount of foodstuffs to be taken for processing and the planned produce, by article;

- 4) the forecasted import/export volume by product type.

(3) The documents describing the accounting and movement of foodstuffs of handlers shall permit identification of:

- 1) the names, origin and amounts of organic foodstuffs delivered to the handlers;

- 2) the names and amounts of organic foodstuffs distributed by the handlers;

- 3) other information which the supervisory authorities need for exercising supervision such as purchased substances, additives and handling aids, their origins and amounts, and the composition of the foodstuffs prepared in the handling process.

(4) The origin of the original ingredients in foodstuffs must be traceable throughout the entire course of handling.

Documentation accompanying the foodstuffs shall contain:

- 1) information reflecting the origin of the foodstuffs: the producer, processor, storer, transporter;

- 2) the lot number, date and amount of the foodstuffs;

- 3) a document certifying the ecolabel of the procured foodstuffs.

(5) All documents specified in this Act and legislation established on the basis thereof concerning a given financial year shall be preserved for at least three years after the end of the given financial year.

(6) Handlers shall allow representatives of issuers of ecolabel authorisations or of supervisory authorities access to arable land, production rooms, warehouses and rooms related to the handling of production waste, and to accounting and business documentation. In addition to the aforementioned, handlers shall submit all other necessary information which is necessary for exercising supervision.

§ 24. State supervision

(1) The Veterinary and Food Board and the Plant Production Inspectorate shall, within the scope of their competence, exercise state supervision over compliance with the requirements arising from this Act and legislation established on the basis thereof.

(16.05.2000 entered into force 05.06.2000 - RT I 2000, 40, 252)

(2) The supervisory authorities are required to exercise supervision at the location of handlers at least once a year. The handler's arable land, production rooms, warehouses and other rooms related to the handling of organic foodstuffs shall not contain substances the use of which is prohibited in the handling process pursuant to this Act and legislation arising therefrom and according to the requirements arising from the ecolabel.

(3) The supervisory authorities are required to inform the issuers of ecolabel authorisations and the Ministry of Agriculture of all violations and deficiencies related to handling which are discovered on site.

§ 25. Sanctions for violating Organic Agriculture Act

(1) The following sanctions may be applied with respect to natural persons and legal persons who violate requirements arising from this Act and legislation established on the basis thereof:

- 1) issuance of precepts for elimination of deficiencies;
- 2) imposition of fines pursuant to law;
- 3) revocation of an ecolabel authorisation;
- 4) revocation of the right to issue ecolabel authorisations.

§ 26. Elimination of deficiencies

(1) Handlers shall eliminate discovered deficiencies and comply with the requirements set out in precepts of the supervisory authorities within the specified period.

(2) The supervisory authorities exercise supervision over the elimination of deficiencies and inform the Ministry of Agriculture of the results of follow-up inspections.

§ 27. Liability of handlers of organic foodstuffs and issuers of ecolabel authorisations for violation of Organic Agriculture Act

(1) Natural persons bear disciplinary, administrative, civil or criminal liability for violation of the requirements arising from this Act and legislation established on the basis thereof pursuant to the procedure prescribed by law.

(2) If a legal person:

- 1) fails to comply with the requirements or unsatisfactorily complies with the requirements arising from § 7 of this Act, a fine of up to 50 000 kroons is imposed, depending on the circumstances;
- 2) violates the general requirements for handling organic foodstuffs provided for in subsections 13 (3) and (4) of this Act, or violates the production requirements provided for in § 14 of this Act, a fine of up to 50 000 kroons is imposed, depending on the circumstances;
- 3) violates the requirements for transportation, preservation and marketing of organic foodstuffs provided for in §§ 15 and 16 of this Act, a fine of up to 25 000 kroons or the value of the lot of foodstuffs is imposed, depending on the circumstances;
- 4) violates the requirements for exportation or importation of organic foodstuffs provided for in §§ 17 to 20 of this Act, a fine of up to 50 000 kroons or twice the value of the lot of foodstuffs is imposed, depending on the circumstances;
- 5) violates the requirements provided for in § 22 of this Act, including use of the ecolabel without an authorisation, a fine of up to 25 000 kroons is imposed, depending on the circumstances.

(3) Officials of the Veterinary and Food Board and the Plant Production Inspectorate have the right to prepare administrative offence reports and impose administrative penalties on legal persons for the offences specified in subsection (2) of this section.

(16.05.2000 entered into force 05.06.2000 - RT I 2000, 40, 252)

(4) The proceedings in matters concerning offences committed by legal persons is effected pursuant to the procedure prescribed in the Code of Administrative Offences (RT 1992, 29, 396; 1999, 41, 496).

(5) The liability of natural persons for violation of this Act or legislation established on the basis thereof is provided for in the Code of Administrative Offences.

§ 28. Revocation of ecolabel authorisation

(1) If a handler with an ecolabel authorisation repeatedly violates the requirements arising from this Act or legislation established on the basis thereof or does not eliminate the discovered deficiencies within the time specified by the issuer of ecolabel authorisations or a supervisory authority, the issuer of ecolabel authorisations may revoke the ecolabel authorisation granted to the handler.

(2) In the case specified in subsection (1) of this section, a supervisory authority may issue a precept to the issuer of ecolabel authorisations concerning the revocation of the ecolabel authorisation granted to the handler. On the basis of the precept issued by the supervisory authority, the issuer of ecolabel authorisations is required to revoke the ecolabel authorisation granted to the handler.

(3) The supervisory authorities have the right to request that the Minister of Agriculture revoke the right to issue ecolabel authorisations granted to an issuer of ecolabel authorisations if:

1) the issuer of ecolabel authorisations or handlers to whom the issuer has granted an ecolabel authorisation repeatedly violate requirements arising from this Act and legislation established on the basis thereof or have not eliminated discovered deficiencies within the time prescribed by the supervisory authorities;

2) the issuer of ecolabel authorisations does not perform its duties as required or unlawfully uses rights granted to it.

(4) The Organic Agriculture Committee shall review applications to revoke the right of issuers of ecolabel authorisations to issue ecolabel authorisations. After considering the opinion of the committee, the Minister of Agriculture shall decide whether to revoke the right to issue ecolabel authorisations or refuse to revoke such right. Persons concerned shall be notified of the decision in writing.

§ 29. Consequences of revocation of right to issue ecolabel authorisations and of ecolabel authorisations

(1) If an ecolabel authorisation is revoked, the handler is required to immediately cease using the ecolabel.

(2) If the right to issue ecolabel authorisations is revoked, the issuer of ecolabel authorisations is required to cease issuing ecolabel authorisations, and handlers who were granted ecolabel authorisations by such issuer of ecolabel authorisations are required to cease using the ecolabel.

(3) After elimination of the circumstances which were the basis for revocation of an authorisation, the handler may submit a new application to obtain an ecolabel authorisation.

Chapter 6 - Implementation of Organic Agriculture Act

§ 30. Competence of Ministry of Agriculture in regulating handling of organic foodstuffs

(1) The Ministry of Agriculture organises the drafting of legislation arising from this Act, the exercise of state supervision arising from enacted legislation and the performance of other state duties, analyses the implementation of legislation regulating the handling of organic foodstuffs and, if necessary, prepares and submits proposals for amendment of legislation regulating the handling of organic foodstuffs.

(2) The state supports organic agriculture. The amount of such support shall be determined each year in the state budget on the basis of requests from the Ministry of Agriculture.