



Circular No. 3/2021

15th October 2021

To: All Organic Operators and Organic Control Bodies (OCBs)

This circular sets out requirement for retailers of Organic Produce to be licenced as an organic operator or qualify for an exemption. The rules governing this are laid down by EU legislation (see Council Regulation 834/2007 and Article 28 in particular).

In general, any operator engaged in the production, preparation, storage or import (from third countries) of organic products, or **who places such products on the market**, must be registered and licenced as an organic operator.

However, Member States may exempt operators who restrict themselves to the sale of **pre-packed organic products**, provided that they have not been involved in preparing, importing or storing these products other than in connection with their point of sale, or have not contracted this out to another operator to do so on their behalf. In this regard, please note that pre-packed organic product sold as Own Brand or 'Specially packed for...' does NOT qualify for exemption and requires the retailer to be licensed in his own right.

If an operator is engaged in the sale of organic produce, therefore, they must either hold an organic licence in their own right or qualify for an exemption.

If they believe they qualify for an exemption, they should apply immediately to the Organic Unit of the Department of Agriculture, Food and the Marine using the standard application form, which is available on the Department's website.

<https://www.gov.ie/en/publication/fc7c8-organic-farming/#application-for-exemption-from-holding-an-organic-licence-for-retailer-of-organic-produce>

Department inspectors have begun visiting all retailers of organic produce and retailers must be able to produce either a valid licence or exemption if asked to do so.

For all further information, please contact The Organic Unit, Department of Agriculture, Food and the Marine, Johnstown Castle, Co. Wexford. (organic@agriculture.gov.ie)

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