



Authorisations of non-organic agricultural ingredients to be used for the production of processed organic food

COP – 26-28 November 2019

Denis de Froidmont – European Commission
DG Agriculture and Rural Development – Unit B.4 Organics



SPECIFIC PRINCIPLES APPLICABLE TO PROCESSING OF ORGANIC FOOD

Article 7, in particular:

*(a) The production of organic food from **organic agricultural ingredients**;*

*(b) The restriction of the use **of food additives, of non organic ingredients** with mainly technological and sensory functions and **of micronutrients** and **processing aids**, so that they are used to a minimum extent and **only in case of essential technological need of for particular nutritional purposes**;*



Article 24(2) provides in particular:

*.... the **Commission may authorise** certain products and substances for use in the production of processed organic food andand shall include any such authorised products and substances in restrictive lists, for the following purposes:*

....

*(b) **as non-organic agricultural ingredients** to be used for the production of processed organic food;*

.....

ARTICLE 24(4)



The **authorisation** of the products and substances referred to in paragraph 2shall be **subject to the principles laid down in Chapter II** and to the following criteria, which shall be evaluated as a whole:

- (a) **alternative** products or substances authorised in accordance with this Article or techniques compliant with this Regulation are **not available**;
- (b) it would be **impossible to produce** or **preserve** the food or to fulfil given **dietary requirements** provided for on the basis of Union legislation without having recourse to those products and substances;
- (c) they are to be found in nature and may only have undergone **mechanical, physical, biological, enzymatic or microbial processes**, except in case where products or substances from such sources are not available in sufficient quantities or qualities;
- (d) the organic ingredient is **not available in sufficient quantity**



Article 24(7) and (8) provides in particular:

(7) Where a **Member State** considers.....shall ensure that a **dossier** giving the reasons for the inclusion, withdrawal or other amendments is **officially sent to the Commission and to the other Member States** and **is made publicly available**, subject to Union and national legislation on data protection.

(8)

The list of non-organic ingredients referred to in point (b) of paragraph 2 **shall be reviewed at least once a year**



Article 24(2)(b)

Authorisation of non-organic agricultural ingredients to be used for the production of processed organic food

Authorisation at EU level

for at least one year
Authorised by
Implementing Act

= **structural** shortage
of supply

Article 25 -

Authorisation of non-organic agricultural ingredients for processed organic food **by Member States or CA/CB in third countries**

Authorisation at Country level

for maximum 18 months
(« ...*may... provisionally authorise... »)*

= **temporary** shortage
of supply

Several dossiers for structural shortage have been sent by MS under the current Regulation

(Article 28 of Regulation 889/2008, in the context of the revision of Annex IX)

most of them have already been discussed

Autorisation under Article 24 (2) (b) of Regulation 2018/848

Non-organic agricultural ingredients

to be used for the production of processed organic food

Agricultural origin ?

(= agricultural product or obtained from agricultural product)

Art 38.1 and 38.3 of TFEU:

'Agricultural products' means the products of the soil, of stockfarming and of fisheries and products of first-stage processing directly related to these products.

Products covered are listed in Annex I of the treaty
(including wild plants and wild animals)

NO



24(2)(b)

REM: Micro-organisms may not be listed (not in Annex I of TFEU) but are authorised when normally used (Annex II, part IV, 2.2.2 to Reg 2018/848).

YES

Autorisation under Article 24 (2) (b) of Regulation 2018/848

Non-organic agricultural ingredients

to be used for the production of processed organic food

Agricultural origin

YES

What type of ingredient ?

Article 3(51) of Reg 2018/848: **'Ingredient' means** an ingredient as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011, i.e. **any substance or product, including flavourings, food additives and food enzymes, and any constituent of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; residues shall not be considered as 'ingredients';**

or, for products other than food, any substance or product used in the manufacture or preparation of products that is still present in the finished product, even in altered form.

The ones that may not be authorised under Article 24(2)(b)

The ones that may be authorised under Article 24(2)(b)

Ingredients that may not be authorised
under Article 24(2)(b) as they correspond to specific products and
substances falling under other categories specifically covered by Article
24 or under point 2.2.2. of Part IV of Annex II

Food additive: may be authorised in accordance with Article
24(2)(a), including food enzymes to be used as food additives

Enzyme: only food enzymes normally used are authorised in
accordance with point **2.2.2. (a) of Part IV of Annex II**

Flavouring: only natural flavouring substances or natural flavouring
preparations are authorised in accordance with point **2.2.2. (b) of
Part IV of Annex II**

Colour: only colours for stamping meat and eggshells and natural
colours for the traditional decorative colouring of eggs in accordance
with point **2.2.2. (c and d) of Part IV of Annex II**

Minerals, vitamins, amino acids and micronutrients: only the
ones directly legally required and the ones for the infant and follow
on formula in accordance with point **2.2.2. (f) of Part IV of Annex**

Agricultural ingredients that may be authorised under Article 24(2)(b) **if all conditions** of Article 24(4) are fulfilled (i.e.: **principles of Chapter II, authorised alternatives not available, necessary to produce, preserve or fulfill legal dietary requirements**, found in nature, possibly after processing (excluding chemical), not available organically in sufficient quantity

Food product

(i.e.: may be used as food as such....e.g. gooseberries, wild fish)

Characteristic ingredient

(e.g. algae arame, hops)

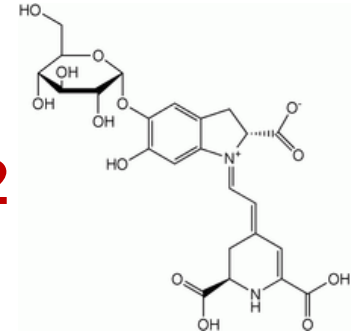
Ingredient with mainly technological function (only if essential need,e.g. gelatin, casings)

Ingredient with mainly sensory function (only if essential technological need or to fulfil dietary requirements provided by EU legislation,....e.g. milk mineral)

Example: Beetroots



E 162



Beetroot is a strong antioxidant, it is a rich source of folate and a moderate source of manganese. **Beetroot juice contains high amounts of pigments, around 0.1 % of betacyanins and betaxanthins**

Beet red is obtained from the roots of strains of red beets (*Beta vulgaris* L. var. rubra) by pressing crushed beet as press juice or by aqueous extraction of shredded beet roots and subsequent enrichment in the active principle. The main colouring principle consists of betacyanins (red) of which betanin accounts for 75-95 %. **Content of red colour (expressed as betanine) is not less than 0,4 %.** (specification of E 162 in Regulation 231/2012).

Dossiers

not supported by the majority of MS

- **Citrus fiber**
- **Dry glucose**
- **Potato fibre**
- **Hops**
- **Candy sugar**
- **Algae Wakame**
- **Algae Kombu**

Dossiers

supported by the majority of MS

- **Algae Arame** (food product/characteristic ingredient)
- **Algae Hijiki** (food product/characteristic ingredient)
- **Gelatin from other source than porcine (i.e. bovine and fish)**
(essential technological function)
- **Casings from animal or plant origin** (essential technological function)

Dossiers

Not yet discussed with MSs

- **Fructose from fruit and for uses in organic flavoured birch juice** (characteristic ingredient) ?? authorised alternatives not available ??
- **Safflower flowers “to be used for the production of safflower concentrate that is used as colouring food”**

Dossiers

of particular ingredients that cannot be authorised in accordance with Article 24 (2)(b) of Regulation 2018/848

- **Alga oil – LC-PUFA (mainly** micronutrient)
- **Milk mineral (when used as** source of minerals)
- **Lithothamnium (mainly** micronutrient, CaCO_3 and MgCO_3)
- **Safflower flowers (mainly** colour)

Thank you for your attention

