



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Brussels,
PP/sf/agri.ddg1.b.4(2021)5599649

Thank you for your letter of 27 July 2021¹ addressed to Commissioner Kyriakides. As the subject of your letter concerns organic production, it is my competence to address your concern.

First of all, I take note of your support for the addition of mineral sodium nitrate to the list of fertilisers authorised under organic regulation as recommended by the EGTOP final report with a restriction “only for algae production on land in closed systems” as well as of your considerations on the conclusions of EGTOP report Aquaculture IV related to ammonium sulphate from digestate stripping and nutrients from terrestrial animal origin which are currently not allowed.

In fact, the Commission may propose to approve certain substances and products to be authorised for use in organic production, under Article 24 of Regulation (EU) 2018/848², which will be applicable from 1 January 2022 and repealing the current organic Regulation (EC) 834/2007.

With respect to algae cultivation, fertilisers could be authorised under certain conditions in facilities on land, in compliance with provisions laid down in particular under Annex II Part III point 2.2.2. and 2.3.2. of Regulation (EU) 2018/848.

As you are aware, the European expert group for technical advice on organic production (EGTOP)³ has examined, among others, a request related to whether the use of certain animal origin nutrients could be allowed in production of organic micro-algae.

¹ ARES(2021)4846692

² [Regulation \(EU\) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation \(EC\) No 834/2007 \(OJ L 150, 14.6.2018 p.1 \)](#)

³ https://ec.europa.eu/info/food-farming-fisheries/farming/organic-farming/co-operation-and-expert-advice/egtop-reports_en

The conclusions of the EGTOP assessment have been published and are available here:

<https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeeting&meetingId=18174>

The group concluded that “For cultivation of macroalgae/microalgae/cyanobacteria, nutrients from terrestrial animal origin should be permitted, with the restriction reported in Annex I of Regulation (EC) No 889/2008⁴ and provided that any microbial contamination of the final product can be avoided.

All efficient and environmentally friendly technologies for nutrient recycling are welcomed, therefore the group is not against permitting the N-Stripping technology, if animal nutrients from factory farming are excluded. The integrity of organic food/feed will not be undermined by allowing N-recovery from animal manure, biogas digestates as listed in Annex I of the Regulation (EC) No. 889/2008. Food/feed safety concerns can be addressed by a functioning quality control system with regular microbiological testing of the source of animal nutrients.

Ammonium sulfate originating from N-Stripping has a high solubility which is not in line with the organic principles for crop production (as highlighted in EGTOP report Fertilisers III). In order to avoid any misunderstanding, the use shall be restricted to macro-/microalgae production in closed and land-based systems.”

However, so far there is no harmonised definition of “factory farming” and under the current rules for algae only nutrients of plant and mineral origin are allowed (see Article 6d(2) of above-mentioned Regulation (EC) No 889/2008), these last provisions are confirmed by Regulation (EU) 2018/848, Annex II Part III point 2.3.2.

With respect to “factory farming”, EGTOP is currently finalising a preliminary report on factory farming in the context of assessment of possible external input to be allowed for organic production. As soon as finalised, the report will be made available on the above-mentioned webpage.

Moreover, as you know, EGTOP finalised a more recent report on Fertilisers IV⁵, which concludes among others, on the assessment of a mineral origin product Sodium nitrate, recommending its inclusion among the allowed fertilisers listed in Annex I to Regulation (EC) 889/2008 with the restriction of use only for algae production on land in closed systems.

Finally, I am pleased to inform you that the Commission is continuously following up on EGTOPs conclusions, and will continue to update the list of fertilisers allowed in organic farming with the relevant legal amendments.

⁴ Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 25, 22.2.2016, p. 1).

⁵ https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/farming/documents/egtop-report-fertilisers-iv-and-plant-protection-products-vi_en.pdf

The present opinion is provided on the basis of the facts as set out in your letter and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours sincerely,

