



Brussels, 25.07.2008
H.3/SC/ag/ D(2008)

Dear

Thank you for your letter of 18 June 2008 sent to Commissioner Mariann Fischer Boel, she asked me to reply on her behalf.

You are asking if your product can obtain an EU-wide authorisation.

Let me summarize from your documentation that this product uses communication channels to improve growth, efficiency and resistance of plants to natural disasters and increase their resistance towards diseases. I also understand that it is registered in Germany as plant strengthener.

I will reply to your question by referring to Art. 6 and 7 of Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs¹.

According to Art. 6(1)(b), the organic production method implies that only products composed of substances mentioned in Annex I or listed in Annex II may be used, among others, as plant protection products, fertilisers, soil conditioners.

Article 7(1) foresees that products not authorised at the date of adoption of the above mentioned Regulation for a purpose indicated in Art. 6(1)(b) may be included in Annex II, provided that certain conditions, as described in the same article, are satisfied.

As explained in Art. 7(4), where a Member State considers that a product should be added to Annex II or that amendments should be made thereto, it shall ensure that a dossier giving the reasons for the inclusion or the amendments is sent officially to the other Member States and the Commission.

I would like to underline that, according to Art. 6(1)(b), products composed of substances mentioned in Annex I or listed in Annex II, may be used only under the specific conditions laid down in the above mentioned Annexes in so far as the corresponding use is authorised in general agriculture in the Member States concerned in accordance with the relevant Community provisions or national provisions in conformity with Community law.

¹ OJ L 198, 22.7.1991, p. 1.

However, the use of products and substances as plant strengtheners is neither foreseen by Council Regulation (EEC) No 2092/91 of 24 June 1991 nor by Council Regulation (EC) No 834/2007 of 28 June 2007² that will repeal the previous one from 1.01.2009.

Yours sincerely,

Signed
p.o. Lars Hoelgaard
Jean-Luc DEMARTY
Director General

² OJ L 189, 20.7.2007, p.1.