



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels, **27 SEP. 2013**
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Dear Ms Butkeviciute,

Thank you for your email of 23 July 2013 enquiring about the possibility of certifying vodka under the EU organic legislation.

The situation concerning the possible certification of spirits under Council Regulation (EC) No 834/2007¹ is complex, given in particular that spirituous beverages are excluded from Annex I to the Treaty. In addition, the spirit drinks sector is regulated under Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks². Moreover, it is important to analyse the products at stake on a case-by-case approach given the importance of the production process. The composition of the product in question and the submission of the operator to the organic national control system should be evaluated. The product should be examined in the light of all the organic legislation. In particular, the question of the use of non-organic ingredients, substances, processing aids and the production process should be examined.

Under this legal context, we understand that some Member States have allowed organic certification for certain spirituous beverages.

¹ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, O.J. L 189, 20.7.2007, p.1

² Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89, O.J. L 39, 13.2.2008, p.16

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As a consequence of this complex situation, we feel that there is a need to explore this issue further. This is actually taking place in the context of the reform of the organic farming legislation that the Commission intends to present at the beginning of 2014.

Please note that the present information is provided on the basis of the facts as set out in your e-mail and on the understanding that in the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'JP', with a stylized flourish at the end.

Jerzy PLEWA