



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability

Brussels

Dear [REDACTED],

I would like to thank you for your email<sup>1</sup> of 18 October regarding the certification of organic land snails.

You asked in your email whether Member States have to apply national rules for the certification of organic land snails or the general rules according to Regulation (EU) 2018/848<sup>2</sup>.

I would like to start by emphasizing that it is important to distinguish between domestic or domesticated land snails and wild snails collected in the wild.

I can confirm that live or unprocessed products originating from domestic or domesticated land snails or processed products for use for food or feed from domestic or domesticated land snails are covered by the scope of Article 2(1) of Regulation (EU) 2018/848.

Domestic or domesticated land snails are covered by the definition of livestock under Article 3, point (27), of Regulation (EU) 2018/848, which states that livestock production means the production of domestic or domesticated terrestrial animals, including insects.

Hence, only domestic or domesticated land snails fulfilling the production rules related to livestock laid down in particular in Article 14 and Annex II Part II of Regulation (EU) 2018/848 may be certified as organic. Please note that, in accordance with Article 2(4) of Regulation (EU) 2018/848, the organic rules apply without prejudice to the relevant Union legislation for land snails, in particular legislation in the fields of safety of the food chain, animal health and welfare, plant health and plant reproductive material.

For domestic or domesticated land snails, there are no additional specific production rules and, therefore, the provisions of Article 20 of Regulation (EU) 2018/848 apply: *“Pending the adoption of: (a) additional general rules for other livestock species than those regulated in point 1.9 of Part II of Annex II in accordance with point (e) of Article 14(2); (b) the implementing acts referred to in Article 14(3) for livestock species; [..]; a Member State **may** apply detailed national production rules for specific species or groups of species of animals in relation to the elements to be covered by the measures*

<sup>(1)</sup> Ares (2022)7281486

<sup>(2)</sup> [EUR-Lex - 02018R0848-20220101 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2018/848/20220101)

*referred to in points (a), and (b) [...], provided that those national rules are in accordance with this Regulation, and provided that they do not prohibit, restrict or impede the placing on the market of products which have been produced outside its territory and which comply with this Regulation.”*

Hence, Article 20 provides for the possibility for Member States to apply detailed national production rules for domestic or domesticated land snails. However, the absence of such national rules does not prevent the producers of domestic or domesticated land snails from being certified as organic provided they fulfil the production rules for livestock as laid down in particular in Article 14 and Annex II Part II of Regulation (EU) 2018/848.

Should Poland decide to apply such detailed national production rules for domestic or domesticated land snails, please note that such rules would have to be notified to the Commission, in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services<sup>3</sup>.

The present opinion is provided on the basis of the facts as set out in your email of 18 October 2022 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 faithfully,



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<sup>(3)</sup> [DIRECTIVE \(EU\) 2015/ 1535 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL - of 9 September 2015 - laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services \(codification\) \(europa.eu\)](#)