



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability
The Director

Brussels
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Dear [REDACTED],

I would like to thank you for your email¹ of 9 June 2022, in which you request clarification regarding the use of a food enzyme in organic vegetable drinks.

I would like to start by recalling the specific principles applicable to the processing of organic food laid down in Article 7 of Regulation (EU) 2018/848², which states *inter alia* that: “(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 cases of essential technological need** or for particular nutritional purposes;*.”

Moreover, Article 24(2) of the same Regulation reads as follows: “...*the Commission may authorise certain products and substances for use in the production of processed organic food and of yeast used as food or feed, and shall include any such authorised products and substances in restrictive lists, for the following purposes:*

(a) as food additives and processing aids;..”

For the sake of clarity, I also recall Article 9(3) of Regulation (EU) 2018/848, which states: “*For the purposes and uses referred to in Articles 24 and 25 and in Annex II, only products and substances that have been authorised pursuant to those provisions may be used in organic production, **provided that their use in non-organic production has also been authorised** in accordance with the relevant provisions of Union law and, where applicable, in accordance with national provisions based on Union law”.*

In particular, the use of food enzymes is specifically allowed in organic processed food under point 2.2.2. of Part IV of Annex II to Regulation (EU) 2018/848: “ (a)

¹ ARES (2022)4382462

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).

[REDACTED]

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*preparations of micro-organisms and food enzymes **normally used in food processing**, provided that food enzymes to be used as food additives have been authorised pursuant to Article 24 for use in organic production”.*

Within this context, it is important to mention as well the horizontal EU legislation concerning enzymes, i.e. Regulation (EC) 1332/2008³ and the definition of “processing aid” under Article 2(b) of Regulation (EC) 1333/2008⁴ on food additives as follows: “ ‘processing aid’ shall mean any substance which: (i) is not consumed as a food by itself; (ii) is intentionally used in the processing of raw materials, foods or their ingredients, to fulfil a certain technological purpose during treatment or processing; and (iii) may result in the unintentional but technically unavoidable presence in the final product of residues of the substance or its derivatives provided they do not present any health risk and do not have any technological effect on the final product;”.

Consequently, in accordance with point 2.2.2. of Part IV of Annex II to Regulation (EU) 2018/848, when the enzyme is indeed used as a processing aid normally used in food processing, the food enzyme preparation to be used as processing aid can be used in organic production, when it is not produced from or by Genetically Modified Organisms in line with Article 11 of Regulation (EU) 2018/848.

For the categorisation of food enzymes, please consider also the DG SANTE Guidance available here: [*fs_food-improvement-agents_enzymes-guidance-categorisation.pdf \(europa.eu\)](https://ec.europa.eu/food/fs/food-improvement-agents-enzymes-guidance-categorisation.pdf).

I would also like to bring to your attention another reply which has been made available in CIRCA BC recently and concerns the same subject of enzymes, please consult it as well (reference ARES(2022)4337640).

This opinion is provided on the basis of the facts set out in your e-mail of 9 June 2022 and expresses the opinion 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 Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



³ Regulation (EC) 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) no 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p.7)

⁴ Regulation (EC) 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p.16)