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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate H. Sustainability and quality of agriculture and rural development
H.3. Organic farming

26 MARS 2009

Brussels,
AGRI H.3/MF/ag D(2009)5557

Dear Mr Plsek,

Thank you for your letter dated 22 September 2008 in which you raise the question on the relationship between Regulation (EC) No 834/2007 and Directive 2000/13/EC as regards the labelling of ingredients. Following the discussions on this subject in the Standing Committee for Organic Farming in November 2008 and again in January 2009, please find below the elements of answer to your request. A translation of this letter into German will be sent to you as soon as possible.

Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs¹ applies to all foodstuffs, including organic products covered by Regulation (EC) No 834/2007. Therefore, on the one hand, the labelling of those products shall include the mandatory information listed in Article 3(1) of Directive 2000/13/EC. On the other hand, both mandatory and voluntary indications appearing on the labelling of such foods must not be as such as they could mislead the purchaser to a material degree, particularly as to the characteristics of the foodstuffs (Article 2(1)(a)(i) of Directive 2000/13/EC).

In addition, for organic products the labelling rules of Regulation (EC) No 834/2007 apply.

According to Article 23(4)(b) of Regulation (EC) No 834/2007 the labelling of organic ingredients is allowed. If the operator decides to mention the organic ingredients *"the references to the organic production method may only appear in the relation to the organic ingredients and the list of ingredients shall include an indication of the total*

¹ OJ L 109, 6.5.2000, p. 29.

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percentage of organic ingredients in proportion to the total quantity of ingredients of agricultural origin."

In the case of products exempted from the obligation of listing ingredients, as provided for in Article 6(2) and (3) of Directive 2000/13/EC, should an operator want to label the organic ingredients, the organic labelling rules as provided for in Article 23(4)(b) of Regulation (EC) No. 834/2007 need to be followed by taking into account the overall approach of not misleading the purchaser. This means that for the complete information of the consumer, if the organic ingredients are listed on a voluntary basis by an operator, preceded by a heading which includes the word 'ingredient', then all the ingredients, being organic or non-organic, of the food product shall be listed, with the reference to organic production where appropriate. This last aspect has been taken into account by the Commission when making its proposal (COM (2008)40 final) to revise the General Food Labelling Directive 2000/13/EC. It is clarified by stating that "when food information covered by this Regulation is provided on voluntary basis, such information shall comply with the relevant specific requirements laid down in this Regulation" (see Article 35(1) of the proposal). This means, that once the proposal adopted, if the list of ingredients is voluntarily provided, such information shall include all ingredients of the given food.

Yours sincerely



Jean-Luc DEMARTY
Director General