



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach  
The Director

Brussels,  
DdF/sn/agri.ddg1.b.4(2020)585791

Thank you for your e-mail of 12 December 2019 (Ares(2019)7676475) regarding the reference to Organic Regulation on fertilisers that may be used in organic production.

Certain fertilisers can be used as an input in organic production provided that they are authorised in accordance with Article 16(1)(b) of Regulation (EC) No 834/2007<sup>1</sup> and are listed in Annex I to Regulation (EC) No 889/2008<sup>2</sup>. From first January 2021, those fertilisers will have to be authorised in accordance with Articles 9 and 24 of Regulation (EU) 2018/848<sup>3</sup> and listed in an implementing act provided for by Article 24(9).

Fertilisers are not within the scope of the organic legislation as set out in Article 2(1) of Regulation (EU) 2018/848; however Article 31 of Regulation (EU) 2018/848 provides for the possibility to use a reference indicating that fertilisers authorised in accordance with Articles 9 and 24 have been authorised for use in organic production in accordance with Regulation (EU) 2018/848. This Regulation shall apply from first January 2021.

The referred provision provides for a voluntary labelling option for which operators selling fertilisers as authorised for use in organic production are responsible. It is therefore the responsibility of the operators using this voluntary labelling option to ensure that up-to-date information is provided to farmers using these fertilisers. We invite you to take the necessary steps to update the labelling of your products as of 1 January 2021.

In order to ensure that farmers are not misled as to its use, fertilisers labelled with a reference to Regulation (EC) No 834/2007 may continue to be placed on the market after 1 January 2021 until stocks are exhausted as long as the substances therein continue to be authorised for use in organic production under Regulation (EU) 2018/848. Finally, fertilisers authorised for use in organic farming may only be labelled with a reference to Regulation (EU) No 2018/848 as of 1 January 2021.

<sup>1</sup> [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 \(OJ L 189, 20.07.2007, p. 1\)](#)

<sup>2</sup> [Commission Regulation \(EC\) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation \(EC\) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control \(OJ L 250, 18.9.2008, p. 1\)](#)

<sup>3</sup> [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 \(OJ L 150, 14.6.2018 p.1\)](#)

The present opinion is provided on the basis of the facts as set out in your e-mail of 12 December 2019 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 sincerely,

