



**EUROPEAN COMMISSION**  
 DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels,  
 DI/nb(2018)6251920

Dear [REDACTED],

I thank for your e-mail of 2 October 2018 (Int. Ref. ARES(2018)5041834) asking for clarification whether vegetable extract containing paprika extract can be granted authorisation of non-organic food ingredient of agricultural origin as defined in article 29 of Regulation (EC) 889/2008<sup>1</sup>. Please accept my apologies for the late reply.

In your e-mail you explained that the operator considered that this ingredient is necessary to achieve suitable colour of milk drink, typical for this group of products and accepted by consumers. According to the operator, due to the heat treatment to milk at high temperature (UHT) and higher acidity of the product (pH 6.6-6.7), it is impossible to obtain a permanent, red colour of flavoured milk using commercially available BIO vegetable extracts.

You also explained that the ingredient in question is a product composed of extracts and concentrates of vegetables (spices) placed on a carrier – glucose. It contains paprika extract, which we assume could be the food additive E160c. According to article 27 (1)(a) to Regulation (EC) No 889/2008 only food additives listed in Annex VIII can be used in the processing of organic food. The mentioned food additive E160c is not authorised to be used in organic foodstuffs.

If indeed this product contains the food additive E160c, it cannot be authorised as a non-organic food ingredient of agricultural origin to be used in organic production.

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<sup>1</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. 1–84).

[REDACTED]

The present opinion is provided on the basis of the facts as set out in your e-mail of 2 October 2018 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 Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



Nathalie SAUZE-VANDEVYVER