



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
The Director General

Brussels, 14 SEP. 2011
AGRI H.3/MF/mc D(2011) 829810

Subject: Liquid smoke flavours in organic production

Dear Ms. Hofstede,

Following the discussion in the meeting of the Standing Committee for organic farming (SCOF) on 8 July 2011 you have asked for a written answer from the Commission on whether liquid smoke flavourings may be used for organic food

Liquid smoke flavourings or condensates are – like other smoke flavourings as defined in Article 3(2)(f) of Regulation (EC) No 1334/2008 - not permitted in organic production.

For organic food processing, Regulation (EC) No 889/2008, Art 27(1)(c) authorises only the use of the following flavouring products:

(c) substances, and products as defined in Articles 1(2)(b)(i) [= flavouring substance] and 1(2)(c) [= flavouring preparation] of Council Directive 88/388/EEC labelled as **natural flavouring substances or natural flavouring preparations**, according to Articles 9(1)(d) and (2) of that Directive.

Directive 88/388/EEC was repealed by Regulation (EC) No 1334/2008, the corresponding references are Article 3(2)(c) [= natural flavouring substance], Article 3(2)(d) [= flavouring preparation] and Article 16 [= the relevant labelling provision for using the term "natural"].

None of before mentioned categories of flavourings include the substances "liquid smoke flavourings" or "condensates". Therefore such substances cannot be used in organic food processing.

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However, the traditional smoking of meat, fish, etc is considered a food processing technique. This technique can be used in accordance with the relevant provisions for food processing in the organic farming legislation and provided the horizontal EU legislation is complied with, eg. by Regulation (EC) No 1881/2006 on setting maximum levels for certain contaminants in foodstuffs.

Smoking techniques and flavours may be discussed in future in the subgroup food of the EGTOP (Expert group for technical advise on organic production).

The above mentioned information is provided on the basis that in the event of a dispute arising on the meaning of a provision of EC Law it is, under the European Treaties, ultimately for the Court of Justice to provide a definitive interpretation.

Yours sincerely,



José Manuel SILVA RODRIGUEZ

Copy: Ms P. Testori-Coggi (DG SANCO), SCOF delegates