



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels  
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Thank you for your e-mail<sup>1</sup> of 19 November 2020. You asked about the possibility to certify wild seaweed as lithothamnium (Maerl).

For lithothamne, one has to distinguish between the seaweed/algae (*Phymatolithon calcareum* and previously *Lithothamnium calcareum*) and a marine product resulting from the calcification of dead algae (calcareous skeleton), also known as Maerl beds.

Lithothamne algae are seaweed (agricultural products) covered by the scope of the organic legislation. Thus, a product resulting from the processing of harvested fresh seaweed could be certified organic if compliant with the relevant organic production rules: in particular Article 13 of Regulation (EC) No 834/2007<sup>2</sup> and, after 1 January 2022, Article 15 of Regulation (EU) No 2018/848<sup>3</sup>.

However, the calcareous skeleton of dead algae such as Maerl beds is not an agricultural product. Thus the calcium carbonate (mineral) obtained from the referred marine product cannot be certified as organic under Regulation (EC) No 834/2007.

The present opinion is provided on the basis of the facts as set out in your e-mail of 19 November 2020 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,



<sup>1</sup> Ares(2020)6920250

<sup>2</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>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 \( OJ L 150, 14.6.2018 p.1 \)](#)

