



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels
DdF/nb(2020)4792846

[REDACTED]

Thank you for your e-mail¹ of 21 May 2020 and sorry for the late reply. You ask about the possibility to include non-organic protein feed (corn gluten) in compound feed for laying hens organically reared.

In principle non-organic protein feed is not authorised in accordance with Article 14(1)(d) of Regulation (EC) No 834/2007² and Article 22 of Regulation (EC) No 889/2008³. However, as mentioned in your letter, it can exceptionally be used in accordance with Article 43 of Regulation (EC) No 889/2008 when the conditions are fulfilled. This is a direct authorisation within the limit of the provisions laid down in this Article.

Regarding Articles 28 and 29 of Commission Regulation (EC) No 889/2008, please note that these Articles refer to non-organic food ingredients and not to feed.

The present opinion is provided on the basis of the facts as set out in your e-mail of 21 May 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,



¹ Ares(2020)2689963

² [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 \(OJ L 189, 20.07.2007, p. 1\)](#)

³ [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 \(OJ L 250, 18.9.2008, p. 1\)](#)

