



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

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

Brussels,  
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Dear Ms Hagatong,

Thank you for your mail of 3 January 2018 (our reference: Ares(2018)101783) in which you ask the Commission and Member States for their views on inputs for algae production in particular CO<sub>2</sub>, in closed reactors for organically produced micro-algae. Please accept my apologies for the late reply.

According to Article 6a of Regulation (EC) No 889/2008<sup>1</sup>, the detailed production rules for seaweed also apply to multi-cellular marine algae, phytoplankton and micro-algae.

The second paragraph of Article 6d of that Regulation provides that: "In facilities on land where external nutrient sources are used the nutrient levels in the effluent water shall be verifiably the same, or lower, than the inflowing water. Only nutrients of plant or mineral origin and as listed in Annex I may be used".

CO<sub>2</sub> is not listed in Annex I and therefore it may not be used as a nutrient.

The present opinion is provided on the basis of the facts as set out in your email of 3 January 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

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<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32008R0889>

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