



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
Directorate H. Sustainability and quality of agriculture and rural development
H.3. Organic farming

Brussels,
AGRI H.3/MF/kt / D(2009) 188961

Subject: Use of nanotechnology and Community logo

Dear

Thank you for your email of 10 June 2009 in which you pose specific questions concerning the application of the organic farming legislation.

Please find below the following answers:

1) Your first question concerns the use of nanotechnology in the processing of products like food and whether this would be allowed for organic production.

The organic farming legislation does not specifically mention nanotechnology.

However, Council Regulation (EC) No 834/2007 outlines objectives and principles for organic farming and processing and according to this organic farming aims to produce as close to nature as possible. Articles 6 (c) and 7(c) mention the "*exclusion of substances and processing methods that might be misleading regarding the true nature of a product.*" Based on this principle Article 19(3) in the general rules for processing organic food stipulates that

"Substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of these products or that otherwise may be misleading as to the true nature of these products shall not be used."

A similar provision is laid down in Article 18(4) for processing of organic feed.

Those provisions do not allow the use of techniques like nanotechnology, which are intended to change the nature and characteristics of food or feed and therefore cannot be used in the processing of organic products.

2) Your second question concerns the use of the Community logo for organic products and whether it can be used on products produced according to national rules like deer and rabbits (Article 42 of Council Regulation (EC) No 834/2007) or mass catering products (Article 1(3) of the same Regulation).

The answer is: no, the Community logo cannot be used.

The labelling rules for organic products are laid down in Title IV of Regulation (EC) No 834/2007. Article 25(1) stipulates that the

"Community organic production logo may be used in the labelling, presentation and advertising for products which satisfy the requirements set out under this Regulation."


For products produced under national or private rules according to Art 42 only Article 23 and Title V of this Regulation apply.

For mass catering operations according to Article 1(3) second subparagraph it is clearly outlined that such *"operations shall not be subject to this Regulation."*

In both cases national or private rules may be established. Since such rules may differ from the requirements of Regulation (EC) No 834/2007 it is not possible to use the Community organic production logo in the labelling of such products.

However, the provisions for labelling under Art 23 as regards the use of the term "organic" and their derivatives and diminutives apply to all products of agriculture origin. This includes the obligatory mentioning of the "code number" of the control authority or control body pursuant Article 24(1)(a) and, from 1 July 2010 onwards, of the "place of farming" pursuant Article 24(1)(c) of the same Regulation.

Yours sincerely



Jean-Luc DEMARTY
Director General