



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability
The Director

Brussels
PP/sf/agri.b.4(2022)4001792

Dear [REDACTED],

I would like to thank you for your email¹ of 6 May 2022 asking for clarification with respect to possible authorisations for use of non-organic seedlings of strawberries.

To address your question, I would like to start by recalling that the competent authorities can authorise the use of non-organic plant reproductive material for the production of organic plants and plant products or for the production of plant reproductive material, provided that the conditions listed in point 1.8.5. or point 1.8.6. of Part I of Annex II, respectively, of Regulation (EU) 2018/848² are met.

I would like to recall in particular the provisions of point 1.8.5.8. of Part I of Annex II of Regulation (EU) 2018/848³, which states: “ *Competent authorities shall not authorise the use of non-organic seedlings in the case of seedlings of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product.*” The same prohibition is set under point 1.8.6. (b): “*the non-organic plant reproductive material used is not a seedling of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product*”.

This provision was introduced to avoid any potential contamination in short cycle crops. Despite the fact that the species *Fragaria spp.* is in itself a perennial plant, it will depend on the technique of production whether the harvest will occur in one growing season

¹ ARES (2022)3496228

² 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), as amended by Commission Delegated Regulation (EU) 2022/474 of 17 January 2022 amending Annex II to Regulation (EU) 2018/848 of the European Parliament and of the Council as regards specific requirements for the production and use of non-organic, in-conversion and organic seedlings and other plant reproductive material, OJ L 98, 25.3.2022, p. 1–5.

³ 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), as amended by Commission Delegated Regulation (EU) 2022/474 of 17 January 2022 amending Annex II to Regulation (EU) 2018/848 of the European Parliament and of the Council as regards specific requirements for the production and use of non-organic, in-conversion and organic seedlings and other plant reproductive material, OJ L 98, 25.3.2022, p. 1–5.

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from the transplantation of the seedling to first harvest, and in such a case the use of non-organic seedlings of *Fragaria spp.* should not be allowed.

In conclusion, in case of lack of organic strawberry plants, the competent authorities may authorise the use of non-organic plant reproductive material provided that the conditions listed in point 1.8.5. or point 1.8.6. of Part I of Annex II to Regulation (EU) 2018/848 are met. In such cases, the seedlings of species that have a cultivation cycle completed in one growing season are “organically” produced on the basis of an authorisation to use non-organic seeds.

This opinion is provided on the basis of the facts set out in your e-mail of 6 May 2022 and expresses the opinion 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,

