



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
Director

Brussels,
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Dear Mr Rzytki,

Thank you for your e-mail of 10 July 2017 regarding organic production of mycelium. Please accept my apologies for the late reply.

In your email, you ask which rules apply to conversion for mushrooms or for mycelium. You also ask whether mycelium should be considered as vegetative propagating material and if so, whether it would be possible to grant a derogation for the use of non-organic mycelium in organic production of mushrooms under the conditions set in Article 45 of Regulation (EC) No 889/2008¹. Finally you ask whether mycelium should be included in the database mentioned in Article 48 of Regulation (EC) No 889/2008.

Mushrooms are considered as plants for the purpose of the EU organic legislation. The mycelium is comparable to the vegetative parts of annual or perennial plants; while mushrooms are comparable to the reproductive parts of plants, like flowers and fruits.

The general rules on plant production (i.a. Article 12 of Regulation (EC) No 834/2007²) and the specific rules regarding substrates to be used on mushroom production (Article 6 of Regulation (EC) No 889/2008) are applicable. These rules apply to the entire fungal body, therefore including the mycelium and the mushrooms.

The conversion rules for plants and plant products set out in Article 36 of Regulation (EC) No 889/2008 apply to mushroom organic production. If the fungus production (mycelium and mushrooms) is managed as an annual crop, a conversion period of at least two years is required before "sowing", which should be interpreted as the dispersal of spores in the soil/substrate or the grafting of the soil/substrate with mycelium. In the case the fungus production (mycelium and mushrooms) is managed as a perennial crop, a conversion period of at least three years has to be applied before the first harvest of organic mushrooms.

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

² <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32007R0834>

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Parts of the mycelium taken from a production unit could be considered as a form of vegetative propagating material when it is used to start a new production cycle or unit. In that particular case, the exemption in Article 45(1)(a) and (b) of Regulation (EC) No 889/2008 could apply provided that not enough organic material is available. The derogation in Article 45(2) of Regulation (EC) No 889/2008 is not applicable to mushrooms because it applies only to seed and seed potatoes. For the same reason, mycelium may not be included in the database mentioned in Article 48 of Regulation (EC) No 889/2008.

The present opinion is provided on the basis of the facts as set out in your mail of 10 July 2017 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