



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels
LB/sn/agri.ddg1.b.4(2019)8001603

Dear Sir / Dear Madam,

Thank you for your email of 12 November 2019 regarding the your reading of a letter sent to [REDACTED] on whether organic or non-organic clove oil can be used as a plant protection product in organic production.

I am sorry to inform you that you misinterpreted the content of the letter of 18 October 2019 (our reference: (2019)6449126) from the Commission sent to [REDACTED].

The first paragraph of the letter in reference just summarizes the content of the request of [REDACTED]. Then, the letter replies whether clove oil (organic and non-organic) is approved and can be used as a plant protection product in organic production. However, it does not address whether clove oil is an effective protective measure against citrus canker on limes imported from Brazil, and is not an approval of the use of clove oil against citrus canker in the meaning of Commission Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community¹.

In this context, I recall that in accordance with Article 1(4) of Regulation (EC) No 834/2007, the organic legislation applies without prejudice of other Union legislation also applicable to the products covered by the organic legislation.

According to point 16.2(d) of Annex IV-A of Commission Directive 2000/29/EC fresh citrus fruit can be imported into the EU when the site of production and the immediate vicinity are subject to appropriate treatments and cultural practices against *Xanthomonas citri* *pv.* *citri* and *Xanthomonas citri* *pv.* *aurantifolii* and the fruits have been subjected to a treatment with sodium orthophenylphenate, or another effective treatment and official inspections carried out at appropriate times prior to export have shown that the fruits are free from symptoms.

In the abovementioned import requirements, there is no obligation for official approval of the treatments applied on the citrus fruits before the third country can export those fruits to the EU. On the contrary, there is an obligation to communicate to the European

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02000L0029-20190901&qid=1574176869068&from=EN>



Commission the treatment method mentioned in point (d) above in advance of the trade. This communication needs to be received by the National Plant Protection Organisation (NPPO) of the country.

Indeed Brazil has communicated to the European Commission on 30 August 2019 that sodium hypochlorite, used as an alternative to orthophenylphenate in Brazil, will be replaced by eugenol, a clove (*Syzygium aromaticum*) essential oil. As mentioned in the table of information provided by Brazil on phytosanitary import requirements which is on the DG SANTE website, the symbol ✓ refers to information communicated to European Commission but this does not mean that this has been technically assessed and approved at Commission level. The effectiveness of the treatment is to be ensured by the competent authority of the exporting country; the absence of interceptions for *Xanthomonas citri* *pv.* *citri* and *Xanthomonas citri* *pv.* *aurantifolii* at import in the country of destination will be the extra proof. Nevertheless, it should be stressed that citrus fruits imported to the EU must comply with all other relevant import requirements mentioned in Regulation (EU) 2019/2072 as well as with all other relevant EU legislation including the emergency measures in place for citrus fruits from Brazil in relation to citrus black spot² and the EU legislation for plant protection products.

Finally, and in order to avoid further misunderstanding from your side on this issue, I would strongly encourage you to get directly in contact with the NPPO of your country as they are knowledgeable about EU plant health import requirements.

The present opinion is provided on the basis of the facts as set out in your e-mail of 12 November 2019 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,



Cc: Freshfel Europe

² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D0449&qid=1574955617490&from=EN>