



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels
DdF/nb/agri.ddg1.b.4(2021)1288652

Thank you for your email¹ of 22 July 2020 and the complementary e-mail² of 3 February 2021 on xylitol in organic production.

When used in a food product, xylitol is a food additive and cannot be considered as a characteristic ingredient: like other polyols, it is used in particular to replace, partially or totally, sugars or food with sweetening properties (e.g. honey) which are the characteristic ingredients used in food for the purpose of imparting a sweet taste.

Food additives for use in organic food production have to be authorised in accordance with Article 19(2)(b) of Regulation (EC) No 834/2007³. Xylitol is not listed in Annex VIII of Regulation (EC) No 889/2008⁴ and consequently cannot be used as a food additive in organic food products. The dossier submitted to EGTOP did not include the exact description of the production method for xylitol and EGTOP report Food VI⁵ confirms that several production methods for xylitol exist and some of them include techniques that are not in line with organic production. Following this situation, xylitol is not included in the draft implementing act authorising certain products and substances for use in organic production. In accordance with the second paragraph of Article 21(2) of Regulation (EC) 834/2007, and, as from 1 January 2022, with Article 24(7) of Regulation (EU) No 2018/848⁶, where a Member State considers that xylitol should be authorised as a food additive, it shall ensure that a full dossier is officially sent to the Commission.

Xylitol when obtained from agricultural products falls under the scope of the current and future EU organics regulations^{3&6}. A product containing 100 % of xylitol and produced in accordance with EU organic regulation could be certified organic and sold as organic

¹ Ares(2020)3863703

² Ares(2021)980687

³ [Council Regulation \(EC\) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation \(EEC\) No 2092/91 \(OJ L 189, 20.07.2007, p. 1\)](#)

⁴ [Commission Regulation \(EC\) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation \(EC\) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control \(OJ L 250, 18.9.2008, p. 1\)](#)

⁵ https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/egtop-final-report-food-vi-feed-iv_en.pdf

⁶ [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 \(OJ L 150, 14.6.2018 p.1 \)](#)

processed food to the final consumer. However, as explained in the above paragraph, such product cannot be used as an additive in the production of organic food products.

The present opinion is provided on the basis of the facts as set out in yours e-mail of 22 July 2020 and of 3 February 2021 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,

