



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Brussels  
DdF/nb/agri.ddg1.b.4(2021)6501583

Dear [REDACTED]

Thank you for your e-mail<sup>1</sup> of 16 July 2021 on the use of diminutives as “eco”, “org” or “bio” in products not falling under the scope of Regulation (EU) 2018/848<sup>2</sup>.

In your e-mail, you correctly refer to our two previous replies<sup>3</sup> on similar subjects and you raise 3 precise questions. Please find below the replies to those ones.

*Does the second subparagraph of Article 30(2) of Regulation (EU) 2018/848 only refer to products included in the scope of the regulation and that potentially could be certified?*

Yes.

*Do we understand correctly that it is possible to use the terms or diminutives that could refer to organic production if it is obvious that it is not an organic product?*

Yes, however, other Regulations may apply: e.g. Regulation (EU) 2019/1009<sup>4</sup> as mentioned in our previous reply ares(2020)3088117.

*Shall the judgement if the labelling could be misleading also be performed on inputs authorised to use in organic production? Like a fertilizer that is outside the scope for being labelled as organic, but allowed to use in organic production.*

Yes, and Article 31 of Regulation (EU) 2018/848 should also be taken into account.

The present opinion is provided on the basis of the facts as set out in your email of 16 July 2021 and expresses the view of the Commission services and does not commit the

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<sup>1</sup> ARES(2021)4615273

<sup>2</sup> [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 \(OJ L 150, 14.6.2018, p. 1\)](#)

<sup>3</sup> ARES(2020)785324 and ARES(2020)3088117

<sup>4</sup> [Regulation \(EU\) 2019/1009 of the European Parliament and of the Council of 5 June 2019 laying down rules on the making available on the market of EU fertilising products and amending Regulations \(EC\) No 1069/2009 and \(EC\) No 1107/2009 and repealing Regulation \(EC\) No 2003/2003 \(OJ L 170, 25.6.2019, p. 1\)](#)

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,

