

**President:** Christopher Stopes

Brussels, 14/09/2009

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**Crucial topics - processed organic food**

Dear Mr Hulot,

The new organic regulation is now in place. Now it's time to return to certain technical details for the annexes.

**1. Annex IX**

The current Annex IX of the Regulation (EC) 889/2008 has not been revised since last year. During this, a number of Products mentioned in this annex are available in organic quality. For example, some years ago the Commission had included in the technical annexes of the regulation, the substances which allow the production of organic Gelatine. At the present time, several companies are producing organic Gelatine. Organic animal by-products used as a source for organic gelatine are available.

Therefore we ask to remove Gelatine from Annex IX which may authorise the use of conventional Gelatine up to a level of 5 % in organic food. In addition, we ask to delete further substances from Annex IX. To do so will make organic food more authentic.

In addition, we request the following to be deleted, since products in organic quality are now available:

**Annex IX**

1.1 Edible fruits, nuts and seeds:

maracujas (passion fruit)	<i>Passiflora edulis</i>
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1.2 Edible spices and herbs:

lesser galanga	<i>Alpinia officinarum</i>
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1.3 Miscellaneous:

- algae, including seaweed, permitted in non-organic foodstuffs preparation

2.2 The following sugars, starches and other products from cereals and tubers:

- Unleavened bread paper
  - Starch from waxy maize, not chemically modified
- Note: starch from rice should not be deleted!

#### 2.1 Fat and oils

We think there should be a change in the systematic. This list should be made into a positive list of oil and fat which are not available in organic quality!

The IFOAM EU Group has identified following oils are available in organic quality.

- Hazelnut oil
- Argan oil
- Peanut oil
- Amound oil
- Pumpkin seed oil
- Walnut oil
- Flax oil
- Carmeline oil
- Corn oil
- Soy bean oil
- Linseed oil

#### 2.3 Miscellaneous:

- Kirsch prepared on the basis of fruits and flavourings

#### 3. Animal products:

- Gelatine

### **2. Ion exchange and adsorbents resin technologies**

The discussion concerning the acceptance of ion exchange and adsorbents resin technologies in organic food processing has now been going on for several years. The Regulation (EC) 834/2007 established in article 19 (3) the possibility to exclude these processing methods for organic foods. Ion exchange and adsorbents resin technologies can have strong impact on product profiles, quality and prices. Ion exchange technologies can change the composition of food very selective on molecular level with strong influences on the specific character and quality. Therefore, the applications of such technologies and the different positions of Member States on this topic, create concrete and unacceptable market conflicts.

For that reason, we propose to prohibit by an amendment to the EC Regulation 889/2008 the use of ion exchange and adsorbents resin technologies. As pointed out in earlier letters we have the opinion that there should be only some exceptions for specific applications. For example the reduction of sodium in whey powder used for organic baby food (See letter from the 7th of July 2004).

### **3. Carnauba wax and Bees wax**

Carnauba Wax and Bees Wax are now authorized as a processing aid (releasing agent) in annex VIII B of the Regulation (EC) 889/2008. There are applications of this substance as releasing agent which have a technological function in the end product. This means in this case that these are “additives” and no longer “processing aids”. In this regulatory area over the last few years, the legal situation has altered or was clarified by a number of lawsuits. Because both substances are from natural origin and used for organic processing for years, we propose to include E 901 Bees wax and E 903 Carnauba wax in List A of Annex VIII with the specific condition “releasing agent”.

### **4. Sodium carbonate**

The use of “sodium carbonate” as processing aid for organic foods is an issue which the IFOAM EU Group has discussed several times. On the basis of the technical dossiers that evaluated sodium carbonate as processing aid in organic starch production and in the preparation of organic oils, the IFOAM EU Group considers Sodium carbonate as a necessary processing aid for this technical applications.

Therefore, the IFOAM EU Group requests the inclusion of sodium carbonate in Annex VIII B of the Regulation (EC) 889/2008 as a processing aid for starch and oil production.

Furthermore, we recommend re-considering the need for specific restrictions for sodium carbonate in Annex VIII B. The IFOAM EU Group believes that the substance could be considered for a wider use in foods based on animal products and plant products as processing aid, comparable to the general acceptance for the use of this substance as an additive in plant products. It is the only available caustic buffering substance in the current list B.

### **5. Liquid smoke flavour**

As pointed out in our letter from January 2009 regarding aquaculture processing we recommend changing the wording in Article 27 (1) (c) to the following:

“c) Substances, and products as defined in Article 1 (2)(b)(i), 1 (2)(c) and 1 (2)(e) of Council Directive 88/388/EEC<sup>1</sup> labelled as natural flavouring substances, smoke flavourings or natural flavouring preparations, according to Articles 9(1)(d) and (2) of that Directive. For smoke flavourings only natural smoke applications and smoke condensate as defined in Council Regulation 2065/2003 article 3.1 and 3.4 without any further additives are accepted.”

Pure liquid smoke flavour has been used for the preparation of organic aquaculture products for many years under private standards. (Please have a look at point (6) of the introduction in Regulation (EC) 2065/2003).

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<sup>1</sup> the references must be adapted to the new flavour regulation

The IFOAM EU Group has discussed this topic and is of the opinion that natural liquid smoke flavour should be permitted for the processing of organic foods. For consumer interest, we propose that the labelling of traditional smoking and liquid smoke flavour is clearly distinguished.

#### **6. Citric acid for egg white (powder)**

Citric acid is authorised to be used as additive and processing aid for organic plant products, and as processing aid for different animal products. Citric acid is also proposed as a technical processing aid in the first organic wine proposal.

The IFOAM EU group has identified that there is an additional need of citric acid for the pH regulation in organic egg production, explicitly for the production of organic egg white (powder). Organic egg white (powder) is used in several organic plant and animal products. Therefore IFOAM EU recommends to also allowing citric acid as processing aid for organic egg products.

#### **7. Deadline on Nitrite and Nitrate, Sulphur dioxide and HCL**

We would like to draw attention to the fact that in accordance with article 27 (3) the substances mentioned will be re-examined before 31st December 2010. We would like to know when the debate begins and what the decision making procedure will be.

We hope that you find our contribution helpful and we ask that you take these matters into consideration.

With Kind Regards,

A handwritten signature in dark ink, appearing to read "Marco Schlüter". The signature is written in a cursive, flowing style.

Marco Schlüter  
Director

Copy to: SCOF, organic unit