



International Federation of
Organic Agriculture Movements –
EU Regional Group

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Working for organic farming in Europe

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Brussels, 08/05/2009

Registered in Sweden,
Uppsala under organisation
number 817606-9436

Additives in organic quality

Dear Mr J.F. Hulot,

We would like to express our concerns over the rising problems we have experienced with the interpretation of the new organic regulation in regard to ingredients mentioned in article 27 of 889/2008 and Annex VIII thereof.

Some countries have (again) started to interpret the new regulation in a way which excludes ingredients from agricultural origin with mainly technical and sensorial functions (listed in article 27 and annex VIII of EC No 889/2008) from the scope of the Regulation EC No 834/2007.

We would like to remind that we have worked together towards excluding the term "products of non- agricultural origin" from the new organic regulation. The aim to do so was to change the legal system to make it possible to certify products from the former Annex VI as organic if they originate from agricultural raw material produced in line with the organic rules.

During the revision process this problem was identified as a structural problem of the old regulation preventing a needed development of the organic sector, specifically with regards to enhancing the authenticity of processed organic products. The reality on the market is that organic lecithin, organic guar, organic citrus oil (flavour extract), organic starter cultures and organic flavours are available.

These substances are important contributions to the authenticity of organic foods because they are able to replace allowed conventional ingredients. This solves several problems;

- Unclear GMO situation during processing of such conventional ingredients (Lecithin, Tocopherol, etc.)
- Excluding substance from synthetic sources and/or very conventional sources
- Making organic products more organic
- Helping even the ingredient industry to diversify their markets
- Helping to integrate organic markets and offering producers new organic markets.
- At least better use of by-products from organic production and processing

Looking at the scope of (EC) no 834/2007 Article 1 (2) " b) *processed agricultural products for use as food;*" we see two important facts combined:

- First the substances have to come from agriculture and
- secondly have to be used for food.

Taking the legal definition of "food" from legislation EC regulation 178/2002 (see Annex) it is clear that all ingredients having mainly technical and sensorial functions are "food".

We therefore believe that it is absolutely clear from the legal point of view to have these substances (e.g. organic lecithin, organic guar, organic locus bean gum, organic citric oil, organic flavour extracts) certified in accordance to the requirements of EC regulation 834/2007.

We ask you to re-inform the member states at the next SCOF-meeting on this issue. If you do not share our opinion please let us know as soon as possible. In case of further questions please do not hesitate to contact us.

With best wishes,



Marco Schlüter, Director

Annex

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

"Article 2 Definition of "food"

For the purposes of this Regulation, "food" (or "foodstuff") means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans.

"Food" includes drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. It includes water after the point of compliance as defined in Article 6 of Directive 98/83/EC and without prejudice to the requirements of Directives 80/778/EEC and 98/83/EC.

"Food" shall not include:

- (a) feed;*
- (b) live animals unless they are prepared for placing on the market for human consumption;*
- (c) plants prior to harvesting;*
- (d) medicinal products within the meaning of Council Directives 65/65/EEC(21) and 92/73/EEC(22);*
- (e) cosmetics within the meaning of Council Directive 76/768/EEC(23);*
- (f) tobacco and tobacco products within the meaning of Council Directive 89/622/EEC(24);*
- (g) narcotic or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971;*
- (h) residues and contaminants."*