



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels,  
PP/sn(2019)2484456

[REDACTED]

Thank you for your e-mail of 14 January 2019 (Int. Ref. ARES(2019)135750) asking for clarifications on whether the use of inert iron in a trace elements bolus for cattle must be specially authorised for use in organic production, or whether its use is already approved under Directive 2008/38/EC<sup>1</sup> establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes. Please accept my apologies for the late reply.

In order to address your question, I would like to refer to Council Regulation (EC) No 834/2007<sup>2</sup>, which lays down general rules on organic production and labelling of organic products. In particular, in accordance with Article 14 of Regulation (EC) No 834/2007 on livestock production rules, non-organic feed materials from plant origin, feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids authorised can only be used as feed in organic production when authorised by the Commission in accordance with Article 16. An authorisation under Directive 2008/38/EC as animal feedingstuff is therefore not sufficient for organic production. The Commission has authorised the use of certain products and substances for organic production in a restricted list laid down in Article 22 of Regulation (EC) No 889/2008<sup>3</sup>.

This list does not seem to cover the use of a trace elements bolus with inert iron.

With respect to your specific request, in accordance with Article 22 of Regulation (EC) No 889/2008 only feed additives listed in Annex VI can be used. However, the product at stake (the bolus) is not a feed additive but a complementary feed and the “inert iron”, for which you raise a concern, is not incorporated in the bolus as a feed additive.

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<sup>1</sup> Commission Directive 2008/38/EC of 5 March 2008 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes OJ L 38, 05.03.2008 p.9

<sup>2</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1522227541587&uri=CELEX:02007R0834-20130701>

<sup>3</sup> Commission Regulation (EC) n° 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. 1–84)

However, the Commission services are of the opinion that the use of a trace elements bolus with inert iron could potentially qualify as feed material from mineral origin or as certain products used in animal nutrition that needs to be authorised in accordance with Article 16 of Regulation (EC) No 834/2007.

We would hence propose the assessment of the suitability of the use of such complementary feed in organic production to the group of experts for technical advice on organic production (EGTOP) as at EU level “long-term supply of grazing animals with trace elements and/or vitamins through use of bolus” has been authorised for ruminants under Directive 2008/38/EC. Under that Directive, the bolus is authorised to be placed as feed on the EU market subject to specific conditions, including the fact that bolus may contain up to 20% of iron in an inert non-bioavailable form to increase its density.

Therefore, in view of the EU provisions concerning this type of product and the nature and content of inert iron, its use must be examined to see if it is in line with the objectives and principles of organic production. For this purpose, a request must be sent by a Member State; this request is then evaluated by EGTOP.

The present opinion is provided on the basis of the facts as set out in your e-mail of 14 January 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,



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in absence of  
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