



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels  
AGRI.DDG1.B.4/DdF/nb(2020)1748402

Dear [REDACTED]

Thank you for your e-mail<sup>1</sup> of 10 January 2020 asking for the authorisation of EPA and DHA Omega-3s as non-organic agricultural ingredients in accordance with Article 24(2)(b) of Regulation (EU) No 2018/848<sup>2</sup>.

From the description in your letter, it appears that these products fall into the category of micronutrients<sup>3</sup>. As in the current Regulation (EC) No 834/2007<sup>4</sup>, Regulation (EU) 2018/848 keeps the distinction between the authorisation of non-organic agricultural ingredients and the authorisation of certain other ingredients such as micronutrients.

When the main composition and main function of an ingredient in processed food corresponds to micronutrients, it cannot be authorised as non-organic agricultural ingredients under Article 24(2)(b) nor under Article 25 of Regulation (EU) No 2018/848.

In addition, the use of micronutrients in organic processed food is strictly limited in accordance with point 2.2.2.(f) of Part IV of Annex II to Regulation (EU) No 2018/848 corresponding to the provisions laid down in Regulation (EC) No 889/2008<sup>5</sup>, Article 27(1), point (f). The authorisation does not impose that the micronutrients have to be organic but limits the use of micronutrients in organic processed food to specific cases.

The present opinion is provided on the basis of the facts as set out in your e-mail of 10 January 2020 and expresses the view of the Commission services and does not commit

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<sup>1</sup> Ares(2020)175178

<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> The glossary of the European Food Safety Authority defines micronutrient as '*Nutrient required by the body in tiny amounts for normal growth, development, and maintenance of health; for example, vitamins and minerals.*'

<sup>4</sup> [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 \(OJ L 189, 20.07.2007, p. 1\)](#)

<sup>5</sup> [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 \(OJ L 250, 18.9.2008, p. 1\)](#)

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,

