



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels,  
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Thank you for your e-mail of 8 October 2020 (Int. Ref. ARES(2020)5307607) by which you follow up on a previous reply (ARES(2020)2722506) and ask whether you could label your non-organic aquaculture products as “organic fed”, without use of the EU logo, when feeding them with organic feed.

To address your question, I recall the provisions of Article 23 of Regulation (EC) No 834/2007<sup>1</sup> on the use of terms referring to organic production, and in particular its paragraph 2 which lays down: *“The terms referred to in paragraph 1 shall not be used anywhere in the Community and in any Community language for the labelling, advertising and commercial documents of a product which does not satisfy the requirements set out under this Regulation, unless they are not applied to agricultural products in food or feed or clearly have no connection with organic production.”*

Analogous provisions are confirmed in the new organic Regulation (EU) 2018/848<sup>2</sup> under its Article 30(1) and (2) which lay down: *“(1) For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials used for its production are described in terms suggesting to the purchaser that the product, ingredients or feed materials have been produced in accordance with this Regulation. In particular, the terms listed in Annex IV and their derivatives and diminutives, such as ‘bio’ and ‘eco’, whether alone or in combination, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products referred to in Article 2(1) which comply with this Regulation. (2) For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising material or commercial documents of a product which does not comply with this Regulation. Furthermore, no terms, including terms used in trademarks or company names, or practices shall be used in labelling or advertising if they are liable to mislead the consumer or user by suggesting that a product or its ingredients comply with this Regulation.”*

<sup>1</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, 20.7.2007, p. 1

<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 \( OJ L 150, 14.6.2018 p.1 \)](#)

Therefore, it has to be concluded that your product being an agricultural product and not being fully compliant with organic rules, cannot be labelled with a reference to “organic”.

The present opinion is provided on the basis of the facts as set out in your e-mail of 8 October 2020 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,

