



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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



I would like to thank you for your e-mail of 12 February 2021,¹ in which you ask clarification on the possible interpretation of Article 9(8) of Regulation (EU) 2018/848² in particular with respect to the provisions concerning parallel production in perennial crops.

In accordance with Article 9(8), in case of perennial crops, not only the same species, but also the same variety can be grown in the same holding when they can be split into clear and effective separate production units for organic, in-conversion and non-organic production. However, in the case of the same varieties, or varieties that cannot be easily differentiated, the production must be subject to a conversion plan to be completed within a maximum of 5 years and under the specific conditions laid down in subparagraphs a) b) and c) of Article 9(8). Indeed, this means that a conversion plan is needed to convert all those same or undifferentiated varieties present in the holding to organic.

This does not mean that all parcels grown with the same species have to be converted to organic if they consist of different varieties easily differentiated and the holding is split into clear and effective separate production units for organic, in-conversion and non-organic production.

In fact, if different varieties are grown and are easily differentiated, then there is no obligation for a conversion plan, but the holding must be split into clear and effective separate production units for organic, in-conversion and non-organic production.

¹ ARES(2021)1270995

² [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 \(OJ L 150, 14.6.2018 p.1 \)](#)



The present opinion is provided on the basis of the facts as set out in your e-mail of 12 February 2021 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,

