



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability

Brussels
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I would like to thank you for your email¹ of 8 February 2022 asking for clarifications with respect to certain provisions of the Commission Delegated Regulation C(2022)101², which is currently under scrutiny by the European Parliament and the Council. This act will amend Annex II to Regulation (EU) 2018/848³.

Please find below the replies to your specific questions.

- *Is it allowed for a farmer to use seedling as organic seedlings, if the farmer has got an authorisation to use of non-organic seeds according to point 1.8.5.1, part I of Annex II to Regulation (EU) 2018/848 and has grown the seedlings in containers for further transplanting according to 1.4.b?*

Yes. I can confirm that, in case of a lack of availability of organic or in-conversion seeds, farmers will need an authorisation to use non-organic seeds to grow their own seedlings. The production in containers is allowed in conformity with point 1.4 (b) of Part I of Annex II to Regulation (EU) 2018/848, which reads as follow: “*growing seedlings or transplants in containers for further transplanting*”.

- *Is it allowed for a nursery to market seedlings (of species that have a cultivation cycle completed in one growing season) as organic seedlings, if the nursery has got an authorisation to use non-organic seeds according to 1.8.6, and has grown the seedlings after sowing in compliance with all other relevant organic plant production requirements?*

¹ ARES (2022) 898627

² Commission Delegated Regulation (EU) .../... of XXX amending Annex II to Regulation (EU) 2018/848 of the European Parliament and of the Council as regards specific requirements for the production and use of non-organic, in-conversion and organic seedlings and other plant reproductive material –C(2022)101

³ [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 \(OJ L 150, 14.6.2018, p. 1\).](#)

Yes. I can confirm that nurseries producing and placing on the market plant reproductive material may also be authorised by the competent authorities to produce organic seedlings under the conditions laid down under the future point 1.8.6 of Part I of Annex II to Regulation (EU) 2018/848 when mother plants or, where relevant, other plants intended for the production of plant reproductive material and produced in compliance with point 1.8.2 are not available in sufficient quantity or quality.. Please see the conditions listed in point 1.8.6.

- *If yes on the second question, is it allowed for the nursery to market the seedlings as organic seedlings both to farmers and to garden centres?*

Yes. When authorised by the competent authority to produce in accordance with the provisions of future point 1.8.6 of Part I of Annex II of Regulation (EU) 2018/848 and having fulfilled the conditions of production as set under this point, the nursery will be able to label the final PRM as organic and use the Organic production logo of the European Union in accordance with Article 33(1) Regulation (EU) 2018/848.

Please note that the new provisions will expire on 31 December 2036 as their objective is to address the current lack of organically grown mother plants, and that the Commission will decide whether to end or extend these authorisations in light of the conclusions that will be presented in the report provided for in Article 53(7) of Regulation (EU) 2018/848 by 31 December 2026.

Yours sincerely,

