



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability

Brussels

Dear [REDACTED],

I would like to thank you for your email¹ of 21 March 2022 regarding the national authorisation of non-organic agricultural ingredients.

Article 25 of Regulation (EU) 2018/848² provides in particular for the possibility for a Member State to authorise provisionally³ the use of non-organic agricultural ingredients for the production of processed organic food on its territory where it is necessary in order to ensure access to certain agricultural ingredients, and where such ingredients are not available in organic form in sufficient quantity.

The notification of such an authorisation is to be done in accordance with Article 25(2) via the Organic Farming information System (OFIS). Such a notification includes in particular the description of the function of the provisionally authorised non-organic agricultural ingredient and the processed food for which the operator's request was made. This information is published in OFIS.

Such information was deemed necessary to ensure that it was necessary to grant an authorisation for a particular agricultural ingredient, after confirmation that there was no alternative and that such use was in line with organic production rules. Nevertheless, following your remarks and the ones from other Member State representatives, we acknowledge that the information about the function and the processed food in which the non-organic agricultural ingredient is used do not need to be publicly available in OFIS.

Indeed, in accordance with Article 25 of Regulation (EU) 2018/848, the provisional national authorisation of non-organic agricultural ingredient is applicable to other operators in the Member State concerned and it is not restricted to a particular function of the non-organic agricultural ingredient nor by the type of processed food in which such ingredient is used.

¹ ARES(2022)2051090

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

³ For a period of maximum six months, please see Article 25(1) of Regulation (EU) 2018/848.



The present opinion is provided on the basis of the facts as set out in your email of 21 March 2022 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,

