



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability
The Director

Brussels
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Dear [REDACTED]

I would like to thank you for your email of 20 December 2022 (Internal ref. Ares(2023)73926) regarding the possibility of using compostable film for the purpose of soil covering in organic farming. In your email, you ask my services to clarify whether it is permissible to use such film in organic production given that, as you mention, “*when the film breaks down, some of the substances enter the soil*”.

In order to reply to your question, I would like to bring to your attention Article 24 of Regulation (EU) 2018/848⁽¹⁾, which stipulates in its paragraph 1 that “*The Commission may authorise certain products and substances for use in organic production, and shall include any such authorised products and substances in restrictive lists, for the following purposes: (a) as active substances to be used in plant protection products; (b) as fertilisers, soil conditioners and nutrients.....*”

The possible use of compostable film for soil is not covered by Article 24. In this case, the last sub-paragraph of Article 9(3) therefore applies: “*The use in organic production of products and substances for purposes other than those covered by this Regulation shall be allowed, provided that their use complies with the principles laid down in Chapter II.*”

Consequently, the product “*compostable film for soil covering*” can be used if in compliance with the principles of organic production. To assess its compliance, it is important to know the composition of the film and its biodegradation process. The assessment of the product at stake can only be made by your services and it falls under their responsibilities to ensure the correct implementation of EU provisions.

As background for your assessment, I would like to suggest that you also consider the report on greenhouses from the Expert Group for Technical Advice on Organic Production (EGTOP), which is available here: [final-report-etop-greenhouse-production 0.pdf \(europa.eu\)](#)

In this report, the experts consider that “*Biodegradable sheets can be allowed, as long as they comply with the normal rules for fertilisation and soil conditioning (Annex I of the*

⁽¹⁾ [EUR-Lex - 02018R0848-20220101 - EN - EUR-Lex \(europa.eu\)](#)

Reg. (EC) 889/2008). However, the Group is sceptical concerning the use of starch based plastic sheets, because they contain not only starch or paper, but also other additives (e.g. glues, pigments)”. The experts concluded that “Biodegradable mulching materials should be allowed, as long as all components of them comply with the Reg. (EC) 889/2008 for fertilisation and soil conditioning. This implies that starch based sheets based on starch derived from GM crops (maize, potatoes etc.) are not allowed (see Reg. (EC) 834/2007, Art. 4)”.

I would also like to recall general and specific principles as laid down under Article 5 and 6 of Regulation (EU) 2018/848. Finally, I would like to bring to your attention an important provision laid down under Point 1.6 of Part I of Annex II, on plant production rules, which stipulates that: *“All plant production techniques used shall prevent or minimise any contribution to the contamination of the environment”.*

The present opinion is provided on the basis of the facts as set out in your e-mail of 20 December 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 faithfully,

