



Technical discussions Production rules Salt

**Expert Group
Salt**

17 October 2018

NEW ORGANIC REGULATION 2018/848

Recital

*(10) Experience gained so far with the application of Regulation (EC) No 834/2007 shows the need to make clear to which products this Regulation applies. Primarily, it should cover products originating from agriculture, including aquaculture and beekeeping, as listed in Annex I to the Treaty on the Functioning of the European Union (TFEU). Moreover, it should cover processed agricultural products for use as food or feed because the placing of such products on the market as organic products provides a major outlet for agricultural products and ensures that the organic nature of the agricultural products from which they are processed is visible to the consumer. Likewise, this Regulation should cover certain other products which are linked to agricultural products in a similarly close way as processed agricultural products for use as food and feed because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. **Finally, sea salt and other salts used for food and feed should be included in the scope of this Regulation because they may be produced by applying natural production techniques, and because their production contributes to the development of rural areas, and thus falls within the objectives of this Regulation.** For reasons of clarity, such other products not listed in Annex I to the TFEU should be listed in an Annex to this Regulation.*

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Article 2

Scope

1. This Regulation applies to the following products originating from agriculture, including aquaculture and beekeeping, as listed in Annex I to the TFEU and to products originating from those products, where such products are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, imported into or exported from the Union:

(a) live or unprocessed agricultural products, including seeds and other plant reproductive material;

(b) processed agricultural products for use as food;

(c) feed.

*This Regulation also applies to certain **other products closely linked to agriculture listed in Annex I to this Regulation**, where they are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, imported into or exported from the Union.*

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ANNEX I

OTHER PRODUCTS REFERRED TO IN ARTICLE 2(1)

- *Yeasts used as food or feed,*
- *maté, sweetcorn, vine leaves, palm hearts, hop shoots, and other similar edible parts of plants and products produced therefrom,*
- ***sea salt and other salts for food and feed,***
- *silkworm cocoon suitable for reeling,*
- *natural gums and resins,*
- *beeswax,*
- *essential oils,*
- *cork stoppers of natural cork, not agglomerated, and without any binding substances,*
- *cotton, not carded or combed,*
- *wool, not carded or combed,*
- *raw hides and untreated skins,*
- *plant-based traditional herbal preparations.*

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- Salt is mentioned also in the rules for processed food

Annex II

Part IV: Processed food production rules

2.1. The following conditions shall apply to the composition of processed organic food:

*(a) the product shall be produced mainly from agricultural ingredients or products intended for use as food listed in Annex I; for the purpose of determining whether a product has been produced mainly from those products, **added water and salt shall not be taken into account;***

(...)

2.2. Use of certain products and substances in processing of food

(...)

2.2.2. In the processing of food, the following products and substances may be used:

(...)

*(e) drinking water and **organic or non-organic salt** (with sodium chloride or potassium chloride as basic components) generally used in food processing;*

(...)

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EMPOWERMENT

Article 21

Production rules for products not falling within the categories of products referred to in Articles 12 to 19

1. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending Annex II **by adding detailed production rules, as well as rules on the obligation to convert**, for products that do not fall within the categories of products referred to in Articles 12 to 19, or by amending those added rules.

Those delegated acts shall be **based on the objectives and principles of organic production** laid down in Chapter II and shall comply with the general production rules laid down in Articles 9, 10 and 11 **as well as existing detailed production rules laid down for similar products in Annex II**. They shall **requirements concerning, in particular, the treatments, practices and inputs** lay down that are allowed or prohibited, or **conversion periods** for the products concerned.

2. In the absence of the detailed production rules referred to in paragraph 1:
 - (a) operators shall, as regards products referred to in paragraph 1, comply with the principles laid down in Articles 5 and 6, mutatis mutandis with the principles laid down in Article 7, and with the general production rules laid down in Articles 9 to 11;
 - (b) a Member State may, as regards products referred to in paragraph 1, apply detailed national production rules, provided that those rules are in accordance with this Regulation, and provided that they do not prohibit, restrict or impede the placing on the market of products which have been produced outside its territory and which comply with this Regulation.

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Recital

(71) However, in order not to mislead consumers as to the organic nature of the entire product, it is appropriate to limit the use of that logo to products which contain only, or almost only, organic ingredients. It should therefore not be allowed to use it in the labelling of in-conversion products or processed products of which less than 95 % by weight of their ingredients of agricultural origin are organic

(80) In order to provide clarity for consumers, and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of laying down additional rules on the labelling of organic products and amending the list of terms referring to organic production set out in this Regulation, the organic production logo of the European Union, and the rules relating thereto.

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CHAPTER IV

LABELLING

Article 30

Use of terms referring to organic production

(...)

5. For processed food, the terms referred to in paragraph 1 may be used:

(a) in the sales description, and in the list of ingredients where such a list is mandatory pursuant to Union legislation, provided that:

(i) the processed food complies with the production rules set out in Part IV of Annex II and with the rules laid down in accordance with Article 16(3);

(ii) **at least 95 % of the agricultural ingredients of the product by weight are organic;** and

(iii) in the case of flavourings, they are only used for natural flavouring substances and natural flavouring preparations labelled in accordance with Article 16(2), (3) and (4) of Regulation (EC) No 1334/2008 and all of the flavouring components and carriers of flavouring components in the flavouring concerned are organic;

(b) only in the list of ingredients, provided that:

(i) less than 95 % of the agricultural ingredients of the product by weight are organic, and provided that those ingredients comply with the production rules set out in this Regulation; and

(ii) the processed food complies with the production rules set out in points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II and with the rules laid down in accordance with Article 16(3);

(c) in the sales description and in the list of ingredients, provided that:

(i) the main ingredient is a product of hunting or fishing;

(ii) the term referred to in paragraph 1 is clearly related in the sales description to another ingredient which is organic and different from the main ingredient;

(iii) all other agricultural ingredients are organic; and

(iv) the food complies with points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II and with the rules laid down in accordance with Article 16(3).

The list of ingredients referred to in points (a), (b) and (c) of the first subparagraph shall indicate which ingredients are organic. The references to organic production may only appear in relation to the organic ingredients.

The list of ingredients referred to in points (b) and (c) of the first subparagraph shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients. The terms referred to in paragraph 1, when used in the list of ingredients referred to in points (a), (b), and (c) of the first subparagraph of this paragraph, and the indication of the percentage referred to in the third subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

(...)

NEW ORGANIC REGULATION 2018/848

EMPOWERMENT

CHAPTER IV LABELLING

Article 30

Use of terms referring to organic production

7. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending:

- (a) **this Article by adding further rules on the labelling of products listed in Annex I, or by amending those added rules;**
and
- (b) the list of terms set out in Annex IV, taking into account linguistic developments within the Member States.

Background information

1. *Codex Standard for salt*
2. *EU legislation applicable for salt*
3. *National legislation*
4. *Position papers*
 - A. Spanish Association of Sea Salt Producers – SALIMAR**
 - B. Artisanal Sea Salt Europe (FR, IT, PT and ES sea salt producers)**
5. *Standards for organic salt already existing*
 - A. CPAEN – salt extracted by evaporation from water sources situated in the Autonomous Community of Navarre (ES private)**
 - B. INTERECO - salt for human consumption (ES private)**
 - C. SHC - Sal Marina Virgen and Flor de Sal (ES private)**
 - D. SATIVA - artisanal marine salt (PT private)**
 - E. NATURE ET PROGRÈS (FR private)**
6. *Salt recognised under PGI*
 - A. 'Sel de Guérande/Fleur de sel de Guérande' (FR 2006)**
 - B. 'Sel de Salies-de-Béarn' (FR 2015)**

1. Codex Standard for salt

Covering: (1) Scope, (2) Description, (3) Essential composition and quality factors, (4) food additives, (5) Contaminants, (6) Food hygiene, (7) Labelling, (8) Packaging, transport and storage, (9) Methods of analysis and sampling + (Appendix) Method for the sampling of food grade salt for the determination of sodium chloride

- *'This standard applies to salt used as an ingredient of food, both for direct sale to the consumer and for food manufacture.'*
- *'Food grade salt is a crystalline product consisting predominantly of sodium chloride. It is obtained from the sea, from underground rock salt deposits or from natural brine.'*
- *'The content of NaCl shall not be less than 97% on a dry matter basis, exclusive of additives.'*
- *'The remainder comprises natural secondary products, which are present in varying amounts depending on the origin and the method of production of the salt, and which are composed mainly of calcium, potassium, magnesium and sodium sulphates, carbonates, bromides, and of calcium, potassium, magnesium chlorides as well. Natural contaminants may also be present in amounts varying with the origin and the method of production of the salt. Copper shall not exceed 2 mg/kg (expressed as Cu).'*
- *'For the fortification of food grade salt with iodine, use can be made of sodium and potassium iodides or iodates'; 'The maximum and minimum levels used for the iodisation of food grade salt are to be calculated as iodine (expressed as mg/kg) and shall be established by the national health authorities in the light of the local iodine deficiency situation'.*

2. EU legislation applicable to conventional salt

- *Iodine and fluoride claims*
 - **nutrition claims** (Regulation 1924/2006)
 - **health claims** (Regulation 432/2012)
- *Food additives permitted in food* (Regulation 1333/2008)
- *Labelling* (Regulation 1169/2011)
- *General food law* (Regulation 178/2002)
- *Food Hygiene* (Regulation 852/2004)
- *Organisation of controls* (Official Controls Regulation 2017/625)
- *Food for specific group of consumers* (Regulation 609/2013)

3. National legislation - specific provisions for salt



4. Position papers

A. Artisanal Sea Salt Europe (FR, IT, PT and ES sea salt producers)

- 'EU rules on organic salt should allow fair competition between producers and to protect consumers against fraud and deception'
- 'organic farming is about sustainable production, protecting the environment and natural resources'
- 'in Europe only the solar method of salt production is close to agriculture'
- 'the traditional salt marshes are among the most relevant ecological developments ever made by man in Europe'
- 'the production of hand-harvested sea salt is fully in line with the principles set out in R. 2018/848. This is not the case for the other salts'

B. Spanish Association of Sea Salt Producers – SALIMAR (4 stakeholder association at the national level)

- 'promoting sea salt and defending their interest'
- 'the production techniques of different types of salt are different and we understand that not all of them comply with the objectives of this Regulation because they are not produced by applying natural production techniques and do not contribute to the protection of the environment'

5. Standards for organic salt already existing

- A. CPAEN – salt extracted by evaporation from water sources situated in the Autonomous Community of Navarre (ES private)**

- B. INTERECO - salt for human consumption (ES private)**

- C. SHC - Sal Marina Virgen and Flor de Sal (ES private)**

- D. SATIVA - artisanal marine salt (PT private)**

- E. NATURE ET PROGRÈS (FR private)**

6. Salt recognised under PGI

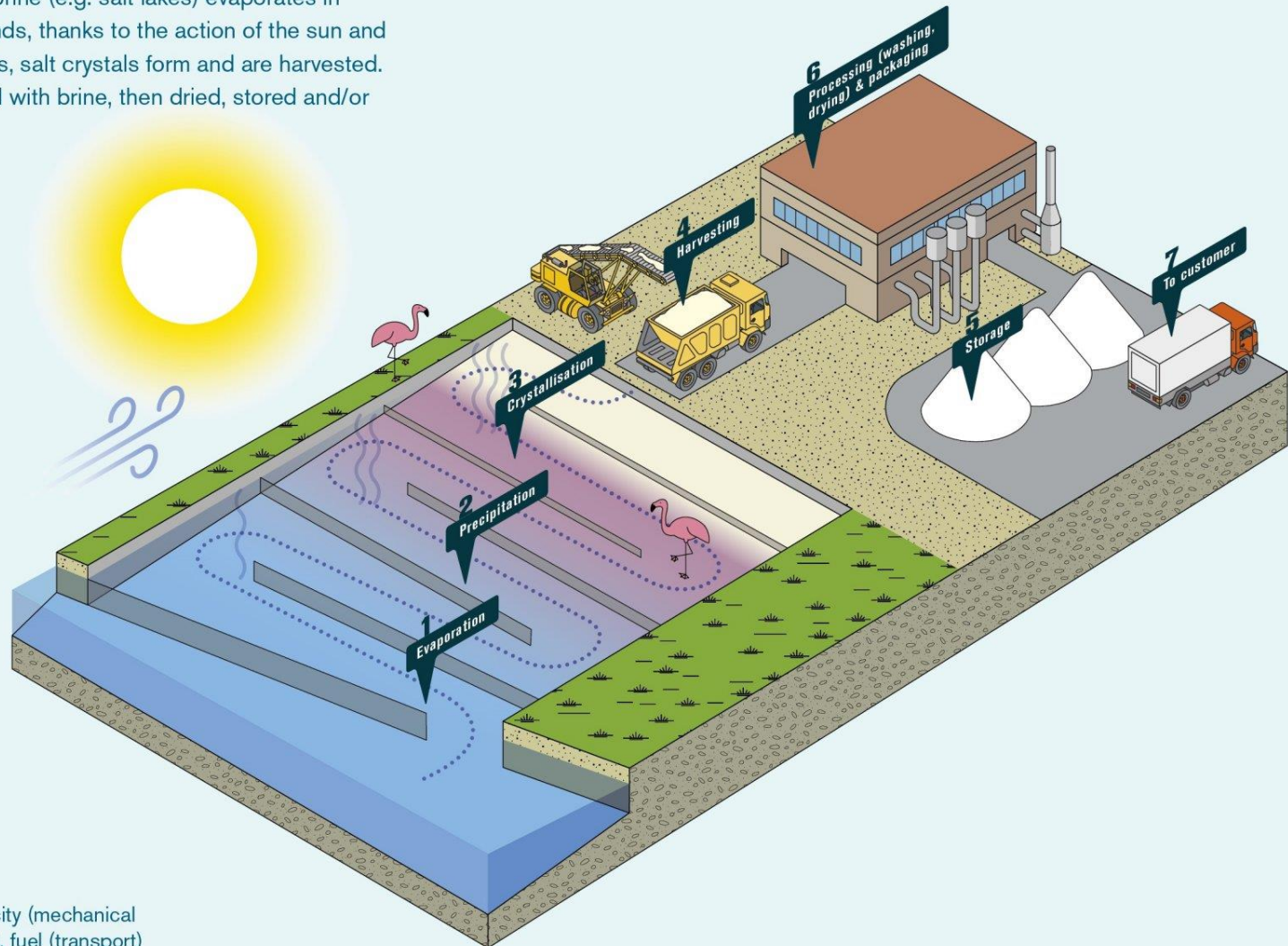
A. 'Sel de Guérande/Fleur de sel de Guérande' (FR 2006)

B. 'Sel de Salies-de-Béarn' (FR 2015)



SOLAR SALT

Sea water or natural brine (e.g. salt lakes) evaporates in subsequent open ponds, thanks to the action of the sun and wind. In the last ponds, salt crystals form and are harvested. They are then washed with brine, then dried, stored and/or packaged.



Main resources:
land & seawater

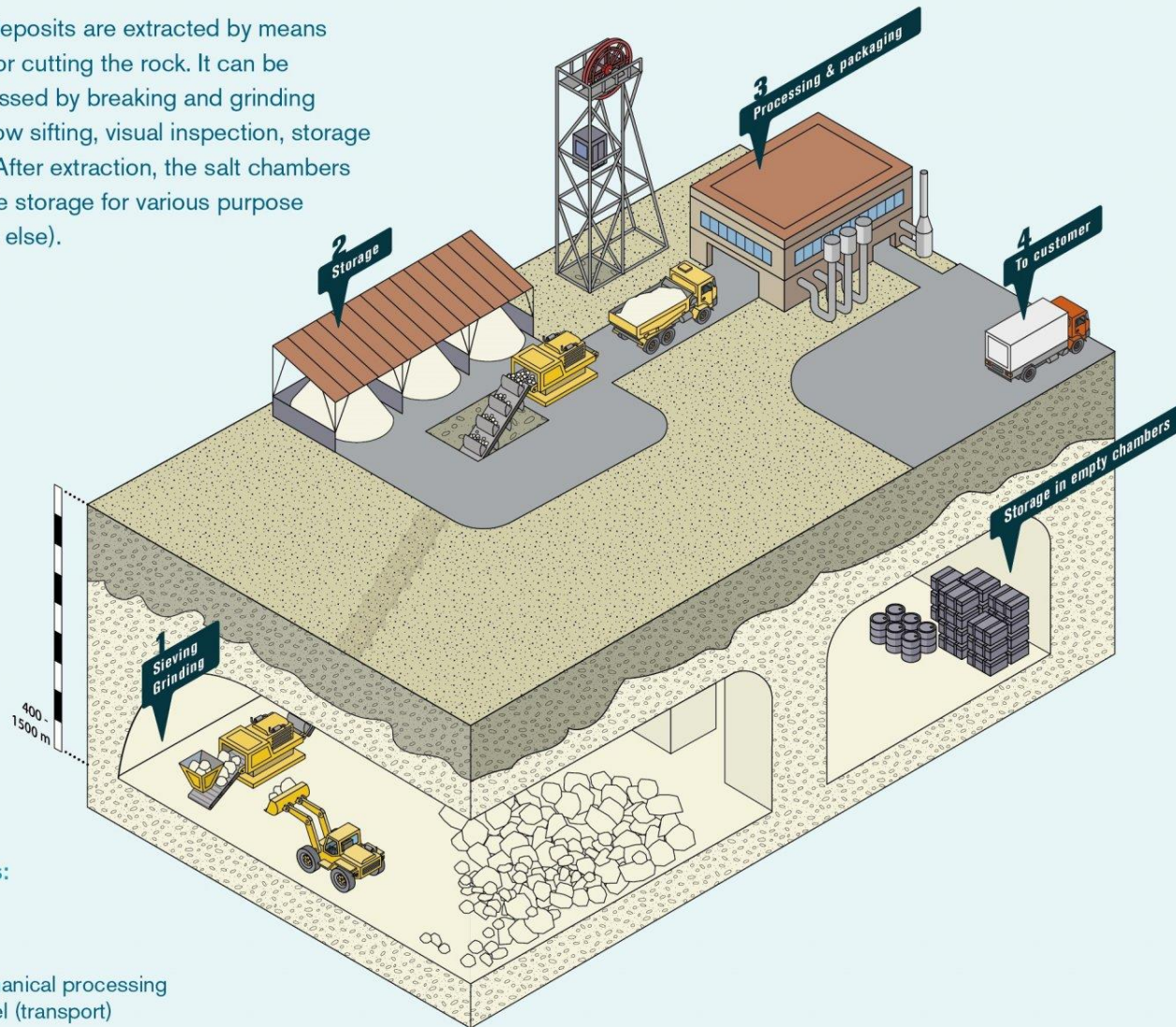



Energy:
solar, wind, electricity (mechanical part of processing), fuel (transport)




ROCK SALT

Underground salt deposits are extracted by means of drilling, blasting or cutting the rock. It can be mechanically processed by breaking and grinding the salt lumps. Follow sifting, visual inspection, storage and/or packaging. After extraction, the salt chambers can be used as safe storage for various purpose (archives, waste, or else).



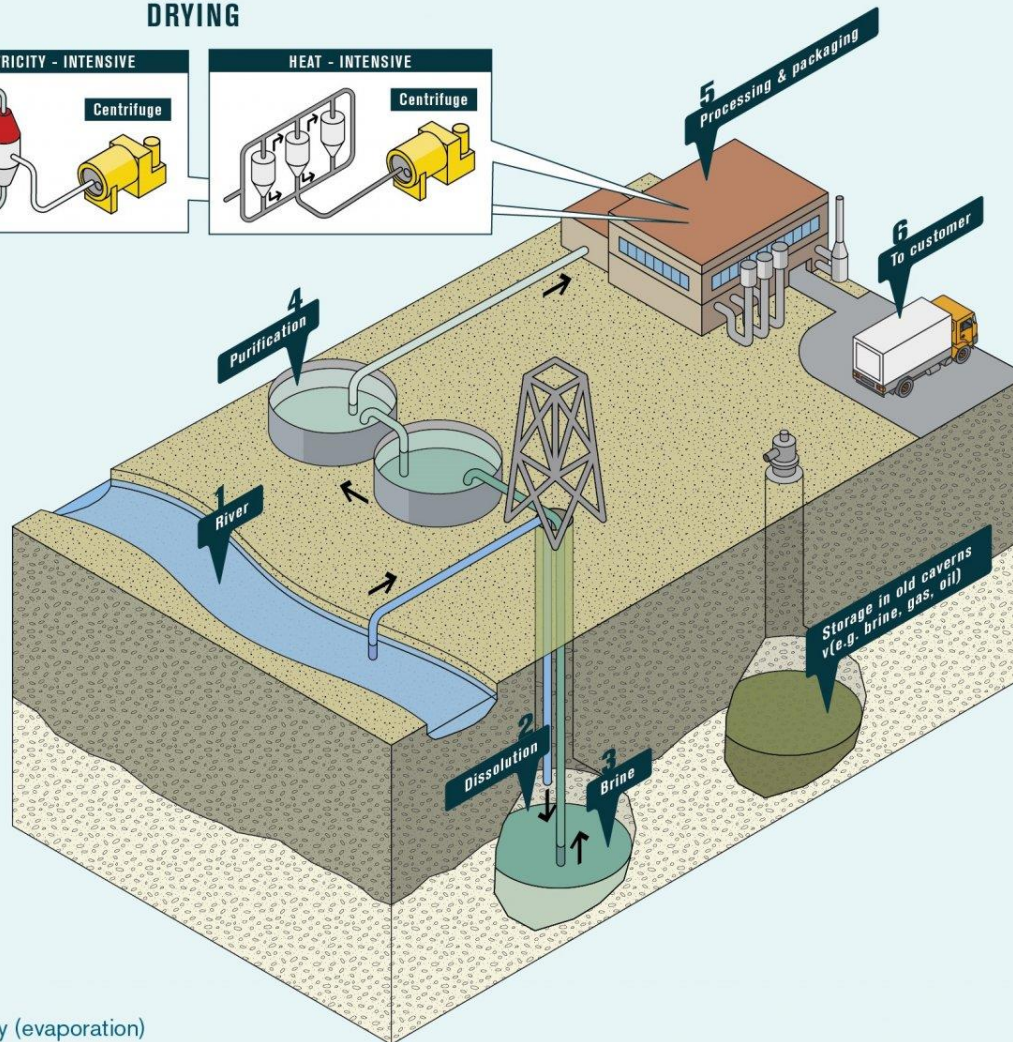
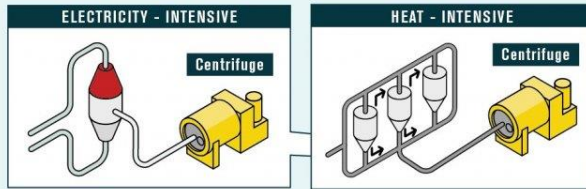
 **Main resources:**
land

 **Energy:**
electricity (mechanical processing and hauling), fuel (transport)



VACUUM SALT

DRYING



Rock salt deposits are mined through boreholes. Water is injected into the underground salt layer to create a highly saturated brine. The latter then goes through mechanical evaporation and cooling. Follow sifting and storage and/or packaging. The caverns left after extraction can be used to store gas or hydrocarbons, for instance.

Main resources:
land & freshwater

Energy:
fossil fuel (incl. transport),
and/or biomass, electricity (evaporation)

Basis for technical discussion

New part of Annex II

'Part VIII: Sea salt and other salts for food and feed'

In addition to the general production rules laid down in Articles 9, 10, 11 and based on empowerment as defined in Article 21 the rules laid down in section 'Part VIII: Salt used as food' shall apply to the organic production of sea salt and other salts for food and feed.

1. Scope
2. General requirements
 - 2.1 Conversion
 - 2.2 Labelling
 - 2.3 General rule for production process and inputs
 - 2.4 Obligation of operators
 - 2.5 Misleading nature of products
 - 2.6 Precautionary measures
 - 2.7 Separation of organic and non-organic
3. Detailed requirements
 - 3.1 Specific conditions for composition of organic sea salt and other salts
 - 3.2 Environmental aspects
 - 3.3. Location
 - 3.4 Water quality
 - 3.5 Practices, processes and treatments
 - 3.6 Preparation
 - 3.7 Cleaning and disinfection products
 - 3.8 Record keeping obligation

1. Scope

- This Regulation applies to food grade salt obtained from the sea, from underground rocks salt deposits or from natural brine. It does not apply to salt from origins other than those mentioned above, notably the salt which is a by-product of chemical industries.

Definition from CODEX

2. General requirements

2.1 Conversion

- When on the land – rules like for plants? Possibility to prolong and to shorten?
- When not land related? – how?
- Per specific type of production?

2.2 Labelling

- 100% organic ?
- 95% organic ?
- What when mixed with herbs or flavouring added? – rules for processed organic products apply

2.3 General rule for production process and inputs

- Products and substances used for production of organic salt and any production practices applied shall comply with the principles of this Regulation?
- Organic salt shall be free of any food additives, processing aids and any other substances and ingredients used for production of conventional salt?

2.4 Misleading nature of products

- Products, substances and techniques that reconstitute properties that are lost in the production or storage of organic salt, that correct the results of negligence in the production of organic salt, or that otherwise may be misleading as to the true nature of products intended to be marketed as organic salt, shall not be used.
- *The same as for processed products (Annex II, Part IV, point 1.6)*

2.5 Obligation of operators

- Operators producing organic salt shall establish and update appropriate procedures based on systematic identification of crucial production steps.
- The application of the procedures referred above shall ensure that the produced organic salt comply with this Regulation at all times.
- *The same as for processed products (Annex II, Part IV, point 1.2. and 1.3.)*

2.6 Precautionary measures

- Operators shall comply with and implement the procedures referred above and without prejudice to Article 28, shall in particular:
 - a) take precautionary measures
 - b) implement suitable cleaning measures, monitor their effectiveness and keep records of these operations;
 - c) guarantee that non-organic products are not places on the market with an indication to organic production.
- *The same as for processed products (Annex II, Part IV, point 1.4.)*

2.7 Separation of organic and non-organic production units

- The preparation of organic, in-conversion and non-organic salt shall be kept separate from each other in time or space. Where organic, in-conversion and non-organic products, in any combination, are prepared or stored in the preparation unit concerned, the operator shall:
 - a) inform control authority or control body accordingly;
 - b) carry out the operations continuously until the production run has been completed, separately in place or time from similar operations performed on any other kind of product (organic, in-conversion or non-organic);
 - c) store organic, in-conversion and non-organic products, before and after the operations, separate by place or time from each other;
 - d) keep available an updated register of all operations and quantities processed;
 - e) take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges between organic, in-conversion and non-organic products;
 - f) carry out operations on organic or in-conversion products only after suitable cleaning of the production equipment.
- *The same as for processed products (Annex II, Part IV, point 1.5.)*

3. Detailed requirements

3.1 Specific conditions for composition of organic salt

Ideas from background documents:

- The content of nitrites, nitrates and ammonium salts shall not exceed, expressed as nitrogen, 6 mg per kilogram of salt
- Food grade salt is a crystalline product consisting predominantly of sodium chloride.
- The content of NaCl shall not be less than 97% on a dry matter basis, exclusive of additives.
- Or at the contrary? – should be full of other elements naturally occurring like: magnesium, chloride, calcium, potassium, as well as micro-nutrients
- Naturally present copper shall not exceed 2 mg per kilogram (expressed as Cu)

3.2 Environmental aspects

Ideas from background documents:

- All salt production techniques used shall prevent or minimise any contribution to the contamination of environment.
 - Biodiversity preservation
 - Sustainable use of resources
 - Almost zero ecological footprint and biodiversity preservation
- +
- The operator shall provide environmental assessment to the control authority or control body. The content of the environmental assessment shall be based on Annex IV to Directive 2011/92/EU of the European Parliament and of the Council.
 - The operator shall provide a sustainable management plan proportionate to the production unit. Business operators shall draw up as part of the sustainable management plan a waste reduction schedule to be put in place at the commencement of operations. Where possible, the use of energy shall be limited to energy from renewable sources.
 - The production does not affect significantly the stability of the natural ecosystem or the maintenance of the species in the production area.
 - *The same as for aquaculture (Annex II, Part III, point 1.3., 1.5.-6, 1.9. and 2.2.1.)*

3.3 Location

- Operations shall be situated in locations that are not subject to contamination with products or substances not authorised for use in organic production, or with pollutants that would compromise the organic nature of the product.
- *The same as for aquaculture (Annex II, Part III, point 1.1.)*

3.4 Water quality

Ideas from background documents:

- The spring water must be free of pesticide residue
- To produce organic sea salt, only a supply of fresh, unpolluted sea water is permitted
- +
- The production of sea salt is considered as organic production provided that the production areas are suitable from health point of view and are of high ecological status as defined by Directive 2000/60/EC (Water Framework Directive)
- *The same as for aquaculture (Annex II, Part III, point 2.2.1.)*

3.5 Practices, processes and treatments

Ideas from background documents:

3.6.1. Authorised:

3.6.1.1 solar salt, including sea salt

- a) solar energy for crystallization of the organic sea salt
- b) traditional hand-harvesting technique
- c) natural production process
- d) ...

3.6.1.2 rock salt

- a) natural production process
- b) ...

3.6.2 Prohibited:

3.6.2.1 solar salt, including sea salt

- a) chemical treatment
- b) mechanical (industrial) harvesting technique
- c) refinement
- d) artificial evaporation

3.6.2.2 rock salt

- a) chemical treatment
- b) refinement
- c) artificial evaporation

3.6 Preparation

- If preparation operations, other than processing, are carried out on salt, the general requirements laid down in points 1.2, 1.3, 1.4, 1.5 and 2.2.3 of Part IV shall apply *mutatis mutandis* to such operations.
- *The same as for unprocessed products (Annex II, Part I, point 1.13 and Part II, point 1.8., Part III, point 1.10.)*

3.7 Cleaning and disinfection products

- Buildings and installations used for salt production - only the products for cleaning and disinfectants authorised pursuant to Article 24 as defined for plant production
- Preparation and processing activities – only the products for cleaning and disinfection authorised pursuant to Article 24 as defined for processing and storage facilities
- *The same as for other organic products (Annex II, Part I, point 1.11 and Part II, point 1.5.1.6., Part III, point 3.1.4.1., Part IV, point 2.2.3, Part V, point 2.4., Part VII, point 1.4.)*

3.8 Record keeping obligation

- *The same as for other organic products*