



Technical discussions Techniques authorised in the processing of food products

**Outcome of the
Expert Group
25 October 2018**

NEW ORGANIC REGULATION 2018/848

Recital

*(1) Organic production is an overall system of farm management and **food production** that combines best environmental and climate action practices, a high level of biodiversity, the preservation of natural resources and the application of high animal welfare standards and **high production standards** in line with the demand of a growing number of consumers for products produced using **natural** substances and **processes**. Organic production thus plays a dual societal role, where, on the one hand, it provides for a specific market responding to consumer demand for organic products and, on the other hand, it delivers publicly available goods that contribute to the protection of the environment and animal welfare, as well as to rural development.*

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Recital

(51) Operators producing organic food or feed should follow appropriate procedures based on the systematic identification of critical processing steps, in order to ensure that processed products comply with the organic production rules. Processed organic products should be produced using processing methods which guarantee that the organic characteristics and qualities of the products are maintained through all stages of organic production.

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Recital

(112) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the documents that are to be supplied for the purpose of recognising a previous period as being part of the conversion period, as regards the minimum period for feeding of suckling animals with maternal milk and certain technical rules for livestock housing and husbandry practices, as regards detailed rules per species or per group of species of aquaculture animal on the stocking density and on the specific characteristics for production systems and containment systems, as regards techniques authorised in the processing of food and feed products, as regards the authorisation of the products and substances that may be used in organic production in general, and in the production of processed organic food in particular, as well as the withdrawal of such authorisations, and as regards the procedures for the authorisation and the lists of such products and substances and, where appropriate, the description, compositional requirement and conditions for the use of such products.

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Article 3

Definitions

(45) **'food'** means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council (4);

'food' (or 'foodstuff') means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans.

'Food' includes drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. It includes water after the point of compliance as defined in Article 6 of Directive 98/83/EC and without prejudice to the requirements of Directives 80/778/EEC and 98/83/EC.

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Article 3

Definitions

(45) **'food'** means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council (4);

'Food' shall not include:

(a) feed;

(b) live animals unless they are prepared for placing on the market for human consumption;

(c) plants prior to harvesting;

(d) medicinal products within the meaning of Council Directives 65/65/EEC and 92/73/EEC;

(e) cosmetics within the meaning of Council Directive 76/768/EEC;

(f) tobacco and tobacco products within the meaning of Council Directive 89/622/EEC;

(g) narcotic or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971;

(h) residues and contaminants.

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Article 3 **Definitions**

(73) '**processing**' means processing as defined in point (m) of Article 2(1) of Regulation (EC) No 852/2004; this includes the use of substances referred to in Articles 24 and 25 of this Regulation but does not include packaging or labelling operations;

'processing' means any action that substantially alters the initial product, including heating, smoking, curing, maturing, drying, marinating, extraction, extrusion or a combination of those processes;

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Article 5

General principles

Organic production is a sustainable management system that is based on the following general principles:

(a) respect for nature's systems and cycles and the sustainment and enhancement of the state of the soil, the water and the air, of the health of plants and animals, and of the balance between them;

(b) the preservation of natural landscape elements, such as natural heritage sites;

(c) the responsible use of energy and natural resources, such as water, soil, organic matter and air;

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Article 5

General principles

(d) the production of a wide variety of high-quality food and other agricultural and aquaculture products that respond to consumers' demand for goods that are produced by the use of processes that do not harm the environment, human health, plant health or animal health and welfare;

(e) ensuring the integrity of organic production at all stages of the production, processing and distribution of food and feed;

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Article 5

General principles

(f) the appropriate design and management of biological processes, based on ecological systems and using natural resources which are internal to the management system, using methods that:

- (i) use living organisms and mechanical production methods;*
- (ii) practice soil-related crop cultivation and land-related livestock production, or practice aquaculture which complies with the principle of the sustainable exploitation of aquatic resources;*
- (iii) exclude the use of GMOs, products produced from GMOs, and products produced by GMOs, other than veterinary medicinal products;*
- (iv) are based on risk assessment and the use of precautionary measures and preventive measures, where appropriate;*

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Article 5

General principles

(f) the appropriate design and management of biological processes, based on ecological systems and using natural resources which are internal to the management system, using methods that:

- (i) use living organisms and mechanical production methods;*
- (ii) practice soil-related crop cultivation and land-related livestock production, or practice aquaculture which complies with the principle of the sustainable exploitation of aquatic resources;*
- (iii) exclude the use of GMOs, products produced from GMOs, and products produced by GMOs, other than veterinary medicinal products;*
- (iv) are based on risk assessment and the use of precautionary measures and preventive measures, where appropriate;*

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Article 5

General principles

(g) the restriction of the use of external inputs; where external inputs are required or the appropriate management practices and methods referred to in point (f) do not exist, the external inputs shall be limited to:

(i) inputs from organic production; in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic agriculture;

(ii) natural or naturally-derived substances;

(iii) low solubility mineral fertilisers;

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Article 5

General principles

(h) the adaptation of the production process, where necessary and within the framework of this Regulation, to take account of the sanitary status, regional differences in the ecological balance, climatic and local conditions, stages of development and specific husbandry practices;

*(i) the exclusion from the whole organic food chain of animal cloning, of rearing artificially induced polyploid animals and **of ionising radiation**;*

(j) the observance of a high level of animal welfare respecting species-specific needs.

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Article 7

Specific principles applicable to the processing of organic food

The production of processed organic food shall be based, in particular, on the following specific principles:

- (a) the production of organic food from organic agricultural ingredients;*
- (b) the restriction of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;*
- (c) the exclusion of substances and processing methods that might be misleading as regards the true nature of the product;*
- (d) the processing of organic food with care, preferably through the use of biological, mechanical and physical methods;*
- (e) the exclusion of food containing, or consisting of, engineered nanomaterials.*

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Article 16

Production rules for processed food

1. Operators that produce processed food shall comply, in particular, with the detailed production rules set out in Part IV of Annex II and in any implementing acts referred to in paragraph 3 of this Article.

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Article 16

Production rules for processed food

1. Operators that produce processed food shall comply, in particular, with the detailed production rules set out in Part IV of Annex II and in any implementing acts referred to in paragraph 3 of this Article.

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Article 16

Production rules for processed food

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

(a) point 1.4 of Part IV of Annex II as regards precautionary measures and preventive measures to be taken by operators;

(b) point 2.2.2 of Part IV of Annex II as regards the types and composition of products and substances that are allowed for use in processed food, as well as conditions under which they may be used;

(c) point 2.2.4 of Part IV of Annex II as regards the calculation of the percentage of agricultural ingredients referred to in points (a)(ii) and (b)(i) of Article 30(5), including the food additives authorised pursuant to Article 24 for use in organic production that are considered as agricultural ingredients for the purpose of such calculations.

Those delegated acts shall not include the possibility of using flavouring substances or flavouring preparations which are neither natural, within the meaning of Article 16(2), (3) and (4) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council (1), nor organic. Operators that produce processed food shall comply, in particular, with the detailed production rules set out in Part IV of Annex II and in any implementing acts referred to in paragraph 3 of this Article.

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EMPOWERMENT

Article 16

Production rules for processed food

3. The Commission may adopt implementing acts laying down the techniques authorised in the processing of food products.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 55(2).

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ANNEX II Part IV: Processed food production rules

In addition to the general production rules laid down in Articles 9 (general production rules), 11(prohibition of the use of GMOs) and 16 (production rules for processed food), the rules laid down in this Part shall apply to the organic production of processed food.

1. General requirements for the production of processed food

*1.1. Food additives, processing aids and other substances and ingredients used for processing food and **any processing practice applied, such as smoking, shall comply with the principles of good manufacturing practice.***

*1.2. Operators producing processed food shall establish and update **appropriate procedures based on a systematic identification of critical processing steps.***

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ANNEX II Part IV: Processed food production rules

1.3. The application of the procedures referred to in point 1.2 shall ensure that the produced processed products comply with this Regulation at all times.

1.4. Operators shall comply with and implement the procedures referred to in point 1.2, 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 those operations;*
- (c) guarantee that non-organic products are not placed on the market with an indication referring to organic production.*

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ANNEX II Part IV: Processed food production rules

1.6. Products, substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of organic food, or that otherwise may be misleading as to the true nature of products intended to be marketed as organic food, shall not be used.

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ANNEX II Part IV: Processed food production rules

2.2.3. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.

PREVIOUS RULES PROCESSED FOOD

- *Under previous rules (except for oenological practices), processing methods were allowed except when assessed on a case by case basis as incompatible with the principles and rules applicable to the production of processed food.*
- *Main sources of evaluation of processing methods were the requirements of Articles 6 on specific principles applicable to processing of organic food and Article 19(3) of Regulation (EC) No 834/2007 on general rules on the production of processed food*
- *No annex in Reg (EC) No 889/2008 providing an exhaustive list of authorised methods for processing food*
- *EGTOP food reports processing methods assessed in correlation with a product*

PREVIOUS RULES PROCESSED FOOD

- *Unfair competition between MS where some methods were used while other MS did not allow their use*
- *Several methods assessed by EGTOP in Food report III in the case of requests linked to products*
 - *Ion exchange technology in organic production*
 - *Electroporation as electronic preservation practice of organic food and feed*
 - *Plasma gas technique as electronic preservation practice of organic food and feed*

Basis for technical discussions

Techniques food processing

1. Only techniques complying with the relevant principles laid down in Chapter II, in particular the specific principles applicable to the processing of organic food laid down in Article 7, in Chapter III and the detailed production rules set out in Part IV of Annex II are authorized in the processing of food products in organic production.
2. By derogation to paragraph 1, in very limited cases in order to ensure a level playing field between operators, it may be necessary to specify further whether a technique is authorized or not for the processing of organic food.

Basis for technical discussions

Techniques food processing

3. The use of the following techniques for the processing of organic food is authorized under the following conditions:

- ion exchange and adsorption technology exclusively for the preparation of organic raw materials for products referred to in points (a) and (b) of Article 1(1) of Regulation (EU) No 609/2013 of the European Parliament and of the Council provided using this technique is necessary to meet the requirements of that Regulation and acts adopted on the basis of Article 11(1) of that Regulation for the products concerned, or in products regulated by Commission Directive 2006/125/EC provided using this technique is necessary to meet the requirements by that Directive.

4. The use of the following techniques for the processing of organic food is not authorized:

Basis for technical discussion

Techniques food processing

5. Where a Member State considers that a specific technique should be assessed as regards compliance with the principles laid down in Chapter II, in particular the specific principles applicable to the processing of organic food laid down in Article 7, in Chapter III and the detailed production rules set out in Part IV of Annex II or that certain specifications for use of the technique should be laid down, it shall ensure that a harmonized dossier giving the reasons for the inclusion, withdrawal or additional specifications is officially sent to the Commission and to the other Member States and is made publicly available, subject to Union and national legislation on data protection

The Commission shall publish the template of the dossier to be filled in by the Member States and any request referred to in this paragraph.

Basis for technical discussion

Techniques food processing

6. The Commission shall review regularly the authorization of the techniques for the processing of organic food, including their withdrawal if deemed necessary, and where appropriate, their description and conditions for use.

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Article 24

Autorisation of products and substances for use in organic production

1. 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:

(g) as products for cleaning and disinfection in processing and storage facilities.

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Article 24

Autorisation of products and substances for use in organic production

3. The authorisation of the products and substances referred to in paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria, which shall be evaluated as a whole:

(a) they are essential for sustained production and for the use for which they are intended;

(b) all of the products and substances concerned are of plant, algal, animal, microbial or mineral origin, except in cases where products or substances from such sources are not available in sufficient quantities or qualities or where alternatives are not available;

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Article 24

Autorisation of products and substances for use in organic production

7. Where a Member State considers that a product or substance should be added to or withdrawn from the lists of authorised products and substances referred to in paragraphs 1 and 2, or that the specifications of use referred to in the production rules should be amended, it shall ensure that a dossier giving the reasons for the inclusion, withdrawal or other amendments is officially sent to the Commission and to the other Member States and is made publicly available, subject to Union and national legislation on data protection.

The Commission shall publish any requests referred to in this paragraph.

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EMPOWERMENT

Article 24

Autorisation of products and substances for use in organic production

8. The Commission shall regularly review the lists referred to in this Article.

9. The Commission shall adopt implementing acts concerning the authorisation or withdrawal of authorisation of products and substances in accordance with paragraphs 1 and 2 that may be used in organic production in general and in the production of processed organic food in particular, and establishing the procedures to be followed for such authorisations and the lists of such products and substances and, where appropriate, their description, compositional requirements and conditions for use.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 55(2).

Basis for technical discussion

- *List of products for cleaning and disinfection authorized for processing*
- *Need for MS to start reflecting on needs for the processing sector as current Annex VII on products for cleaning and disinfection covers only buildings and installations for livestock production and aquaculture animals and seaweed production*
- *Dossiers will need to be submitted to EGTOP*