

Brussels, XXX
[...] (2018) XXX draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

**amending Regulation (EC) No 889/2008 laying down detailed rules for the
implementation of Council Regulation (EC) No 834/2007 on organic production and
labelling of organic products with regard to organic production, labelling and control**

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91¹, and in particular Article 19(2)(c) thereof,

After consulting the Committee on Organic Production,

Whereas:

- (1) Article 28 of Commission Regulation (EC) No 889/2008² allows use of non-organic ingredients of agricultural origin in processing food as listed in Annex IX to this Regulation.
- (2) The list of authorised non-organic agricultural ingredients that can be used in the processing of organic food requires regular updates due to organic sector developments as well as changes in availability of required ingredients in their organic form.
- (3) Non-organic agricultural ingredients listed in Annex IX can only be used in the processing of organic food if the specific description and conditions for use defined for them are also respected.
- (4) Regulation (EC) No 889/2008 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Organic Production,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 889/2008 is amended as follows:

Annex IX is replaced by the text set out in Annex to this Regulation.

¹ OJ L 189, 20.7.2007, p. 1.

² OJ L 250, 18.9.2008, p. 1.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President

Annex
'ANNEX IX

**Ingredients of agricultural origin which have not been produced organically referred to
in Article 28**

<i>Category</i>	<i>Name of ingredient</i>	<i>Description, conditions for use</i>
Animal products	Casings	Natural, produced from the gut of slaughtered porcine, bovine or ovine animal, or from natural raw materials of animal or plant origin.
	Gelatin	From plant origin or from animal origin other than porcine. When of animal origin must be in compliance with horizontal legislation and in particular Commission Regulation (EU) No 142/2011 ³ concerning health rules as regards animal by-products and derived products.
	Milk mineral powder and milk mineral liquid ('herasuola')	Produced from milk using separation methods commonly used in the dairy industry. Only for replacing wholly or partly sodium chloride in various foodstuffs.
Plant products	Bark of the Pau d'arco tree <i>Handroanthus impetiginosus</i> ('lapacho')	Unprocessed.
Wild aquatic organisms	1. Crab <i>Cancer pagurus</i> , 2. Cuttlefish <i>Sepia officinalis</i> , 3. Lobster <i>Homarus gammarus</i> or <i>Nephrops norvegicus</i> , 4. Scallop <i>Molluscs Bivalves Pectinidae</i> or <i>Pecten maximus</i> , 5. Squid <i>Loligo vulgaris</i> or <i>forbesi</i> , 6. Anchovy <i>Engraulis encrasicolus</i> , 7. Tuna <i>Thunnus albacares</i> .	Only when not originating from aquaculture. Only when permitted in no-organic foodstuffs preparation. Only from sustainable fishery in accordance with Regulation 1380/2013 ⁴ . Unprocessed.
Seaweed	1. Wakame <i>Undaria pinnatifida</i> , 2. Arame <i>Eisenia bicyclis</i> , 3. Hijiki <i>Hizikia fusiforme</i> .	Unprocessed.'

³ OJ L 54, 26.2.2011, p. 1–254.

⁴ OJ L 354, 28.12.2013, p. 22–61.