

## **The new EU organic regulation 2018/848**

The new EU legislation for organic production will come into force on 01.01.2022.

The changes for processing companies are not extensive, but it would be to advise to deal with the changes now.

### **Prohibition of engineered nanomaterial (Article 7)**

In the future, ingredients or substances that contain or consist of technically manufactured nanomaterials are prohibited. The definition for this can be found in the regulation 2015/2283 on novel foods. It is nanomaterial that was intentionally produced as such and is usually subject to declaration. Natural or accidental occurring nanomaterials are excepted.

### **Detergents and disinfectants (Article 24)**

While there have been cleaning and disinfection requirements for agricultural operators for years, this area was not yet regulated for processing companies. In the future, the commission will also permit certain substances as agents for cleaning and disinfection for the processing area.

### **Precautionary measures and dealing with suspected cases (Articles 27-29)**

In the future all companies along the value chain will have the same obligations how to avoid the risk of contaminations and irregularities and how to deal with suspected cases.

### **Use of flavors (Annex II, Part IV, 2.2.2. b) and Article 30, (5) a) iii)**

Conventional flavors may still to be used in organic products, however, the area of application is restricted based on article 16 paragraphs 2, 3 and 4 of regulation 1334/2008. This includes natural flavors or natural flavor extracts, their flavor component exclusively or at least 95 percent coming from the named plant or animal product (so-called FTNF/S flavors). In addition, flavor extracts are only allowed when they are derived from food.

A definition for organic flavors was also introduced. According to Article 30, (5) a) iii) they will be labeled as organic if they contain natural flavorings or flavor extracts (as described above) and all of their flavoring ingredients and flavor carrier components come from organic production. In addition, flavors will be seen as ingredients of agricultural origin and thus when using conventional flavors have to be considered for the "5% rule".

There may be some extensive changes for product recipes here. It would be to advise for those companies that use flavors in their products to evaluate at an early stage whether there is a need for action and whether adjustments may have to be made.

### **Changes in labeling (Articles 30-33)**

The requirements for labeling remain as in the current ordinance. Only the tolerance concerning the declaration of the country of origin is increased from two percent to five percent and the possibility of a regional indication of origin is introduced.

### **Trade with third countries (Article 45)**



The import and marketing of organic products from third countries will only be possible if the production specifications of the new EU regulation are also met in the third country or if a trade agreement with the respective country exists.

Special features of climate and tradition can, be taken into account here, however, the approval process has yet to be specified. This results in the following trade routes:

- The products meet the requirements of EU legislation for organic farming and all operators are checked regularly.
- The products come from a third country with a trade agreement with the EU and comply with the terms and conditions of this agreement.
- The products come from a third country with equivalent specifications (see current list of third countries), this procedure expires in 2026.

The list of inspection bodies -recognized according to equivalence- that are responsible for inspection in third countries, expires in 2024. Goods that will be imported from the third country list until 2026, must still be imported with a certificate of inspection.

The legal provisions can be found here:

<https://eur-lex.europa.eu/>