

COMMISSION REGULATION (EC) No 780/2006**of 24 May 2006****amending Annex VI to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽¹⁾, and in particular the second indent of Article 13 thereof,

Whereas:

(1) Pursuant to Article 5(8) of Regulation (EEC) No 2092/91, limitative lists of the ingredients and substances referred to in paragraph 3(c) and (d) and paragraph 5a(d) and (e) of that Article shall be established in Sections A and B of Annex VI to that Regulation. The conditions of use of these ingredients and substances may be specified.

(2) Further to the introduction of rules for organic production of livestock and livestock products in Regulation (EEC) No 2092/91, it is necessary to adapt those lists in order to include substances used in the processing of products intended for human consumption which contain ingredients from animal origin.

(3) It is also necessary to define additives that may be used for the preparation of fruit wines other than wines covered by Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾.

(4) Regulation (EEC) No 2092/91 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up in accordance with Article 14 of Regulation (EEC) No 2092/91,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VI to Regulation (EEC) No 2092/91 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 December 2007.

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

Done at Brussels, 24 May 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Regulation (EC) No 699/2006 (OJ L 121, 6.5.2006, p. 36).

⁽²⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Commission Regulation (EC) No 2165/2005 (OJ L 345, 28.12.2005, p. 1).

ANNEX

Annex VI to Regulation (EEC) No 2092/91 is amended as follows:

1. The text under the heading 'GENERAL PRINCIPLES' is amended as follows:

(a) The first paragraph is replaced by the following:

'Sections A, B and C cover the ingredients and processing aids which may be used in the preparation of foodstuffs composed essentially of one or more ingredients of plant and/or animal origin, referred to in Article 1(1)(b) of this Regulation, with the exception of wines covered by Council Regulation (EC) No 1493/1999 (*).

Products of animal origin bearing an indication referring to the organic production method, which have been lawfully produced before the date of application of Commission Regulation (EC) No 780/2006 (**), may be marketed until stocks are exhausted.

(*) OJ L 179, 14.7.1999, p. 1.

(**) OJ L 137, 25.5.2006, p. 9.'

(b) The second paragraph is replaced by the following:

'When a foodstuff is composed of ingredients of plant and animal origin, the rules established in Article 3 of Directive 95/2/EC of the European Parliament and of the Council (*) shall apply.

The inclusion in Sub-section A.1 of sodium nitrite and potassium nitrate shall be re-examined before 31 December 2007, with a view to limiting or withdrawing the use of these additives.

(*) OJ L 61, 18.3.1995, p. 1.'

2. Section A is amended as follows:

(a) Subsection A.1 is replaced by the following:

'A.1. Food additives, including carriers

Code	Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Specific conditions
E 153	Vegetable carbon		X	Ashy goat cheese Morbier cheese
E 160b	Annatto, Bixin, Norbixin		X	Red Leicester cheese Double Gloucester cheese Scottish cheddar Mimolette cheese
E 170	Calcium carbonate	X	X	Shall not be used for colouring or calcium enrichment of products

Code	Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Specific conditions
E 220 Or E 224	Sulphur dioxide Potassium metabisulphite	X X	X X	In fruit wines (*) without added sugar (including cider and perry) or in mead: 50 mg ⁽⁴⁾ For cider and perry prepared with addition of sugars or juice concentrate after fermentation: 100 mg ⁽⁴⁾ ⁽⁴⁾ Maximum levels available from all sources, expressed as SO ₂ in mg/l. ^(*) In this context, "fruit wine" is defined as wine made from fruits other than grapes.
E 250 Or E 252	Sodium nitrite Potassium nitrate		X X	Meat products ⁽²⁾ For E 250: indicative ingoing amount expressed as NaNO ₂ : 80 mg/kg For E 252: indicative ingoing amount expressed as NaNO ₃ : 80 mg/kg For E 250: maximum residual amount expressed as NaNO ₂ : 50 mg/kg For E 252: maximum residual amount expressed as NaNO ₃ : 50 mg/kg
E 270	Lactic acid	X	X	
E 290	Carbon dioxide	X	X	
E 296	Malic acid	X		
E 300	Ascorbic acid	X	X	Meat products ⁽¹⁾
E 301	Sodium ascorbate		X	Meat products in connection with nitrites or nitrates ⁽¹⁾
E 306	Tocopherol-rich extract	X	X	Anti-oxidant for fats and oils
E 322	Lecithins	X	X	Milk products ⁽¹⁾
E 325	Sodium lactate		X	Milk-based and meat products
E 330	Citric acid	X		
E 331	Sodium citrates		X	
E 333	Calcium citrates	X		
E 334	Tartaric acid (L(+)-)	X		
E 335	Sodium tartrates	X		
E 336	Potassium tartrates	X		

Code	Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Specific conditions
E 341 (i)	Monocalcium-phosphate	X		Raising agent for self raising flour
E 400	Alginic acid	X	X	Milk-based products ⁽¹⁾
E 401	Sodium alginate	X	X	Milk-based products ⁽¹⁾
E 402	Potassium alginate	X	X	Milk-based products ⁽¹⁾
E 406	Agar	X	X	Milk-based and meat products ⁽¹⁾
E 407	Carrageenan	X	X	Milk-based products ⁽¹⁾
E 410	Locust bean gum	X	X	
E 412	Guar gum	X	X	
E 414	Arabic gum	X	X	
E 415	Xanthan gum	X	X	
E 422	Glycerol	X		For plant extracts
E 440 (i)	Pectin	X	X	Milk-based products ⁽¹⁾
E 464	Hydroxypropyl methyl cellulose	X	X	Encapsulation material for capsules
E 500	Sodium carbonates	X	X	"Dulce de leche" (*) and soured-cream butter ⁽¹⁾ (*) "Dulce de leche" or "Confiture de lait" refers to a soft, luscious, brown cream, made of sweetened, thickened milk
E 501	Potassium carbonates	X		
E 503	Ammonium carbonates	X		
E 504	Magnesium carbonates	X		
E 509	Calcium chloride		X	Milk coagulation
E 516	Calcium sulphate	X		Carrier
E 524	Sodium hydroxide	X		Surface treatment of "Laugengebäck"
E 551	Silicon dioxide	X		Anti-caking agent for herbs and spices
E 553b	Talc	X	X	Coating agent for meat products
E 938	Argon	X	X	
E 939	Helium	X	X	
E 941	Nitrogen	X	X	
E 948	Oxygen	X	X	

⁽¹⁾ The restriction concerns only animal products.

⁽²⁾ This additive can only be used if it has been demonstrated to the satisfaction of the competent authority that no technological alternative giving the same sanitary guarantees and/or allowing to maintain the specific features of the product, is available.

(b) Subsection A.4, is replaced by the following:

'A.4. Micro-organism preparations

Any preparations of micro-organisms normally used in food processing, with the exception of genetically modified micro-organisms within the meaning of Directive 2001/18/EC of the European Parliament and of the Council (*).

(*) OJ L 106, 17.4.2001, p. 1'.

(c) The following Sub-section A.6. is added:

'A.6. Use of certain colours for stamping products

In the case where colours are used for stamping eggshells, Article 2(9) of Directive 94/36/EC of the European Parliament and of the Council (*) shall apply.

(*) OJ L 237, 10.9.1994, p. 13.'

3. Section B is replaced by the following:

'SECTION B — PROCESSING AIDS AND OTHER PRODUCTS, WHICH MAY BE USED FOR PROCESSING OF INGREDIENTS OF AGRICULTURAL ORIGIN FROM ORGANIC PRODUCTION REFERRED TO IN ARTICLE 5(3)(D) AND ARTICLE 5(5A)(E) OF REGULATION (EEC) No 2092/91

Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Specific conditions
Water	X	X	Drinking water within the meaning of Council Directive 98/83/EC (*)
Calcium chloride	X		Coagulation agent
Calcium carbonate	X		
Calcium hydroxide	X		
Calcium sulphate	X		Coagulation agent
Magnesium chloride (or nigari)	X		Coagulation agent
Potassium carbonate	X		Drying of grapes
Sodium carbonate	X		Sugar(s) production
Citric acid	X		Oil production and hydrolysis of starch
Sodium hydroxide	X		Sugar(s) production Oil production from rape seed (<i>Brassica spp</i>)
Sulphuric acid	X		Sugar(s) production
Isopropanol (propanol-2-ol)	X		In the crystallisation process in sugar preparation; in due respect of the provisions of Council Directive 88/344/EEC, for a period expiring on 31/12/2006
Carbon dioxide	X	X	
Nitrogen	X	X	
Ethanol	X	X	Solvent

Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Specific conditions
Tannic acid	X		Filtration aid
Egg white albumen	X		
Casein	X		
Gelatin	X		
Isinglass	X		
Vegetal oils	X	X	Greasing, releasing or anti-foaming agent
Silicon dioxide gel or colloidal solution	X		
Activated carbon	X		
Talc	X		
Bentonite	X	X	Sticking agent for mead ⁽¹⁾
Kaolin	X	X	Propolis ⁽¹⁾
Diatomaceous earth	X		
Perlite	X		
Hazelnut shells	X		
Rice meal	X		
Beeswax	X		Releasing agent
Carnauba wax	X		Releasing agent

⁽¹⁾ The restriction concerns only animal products.

Preparations of micro-organisms and enzymes:

Any preparations of micro-organisms and enzymes normally used as processing aids in food processing, with the exception of genetically modified micro-organisms and with the exception of enzymes derived from "genetically modified organisms" within the meaning of Directive 2001/18/EC.

^(*) OJ L 330, 5.12.1998, p. 32.'