

Commission Regulation (EC) No 889/2008 of 5 September 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

[<sup>F1</sup>TITLE II

**RULES ON PRODUCTION, PRESERVATION, PROCESSING,  
PACKAGING, TRANSPORT AND STORAGE OF ORGANIC PRODUCTS]**

[<sup>F1</sup>CHAPTER 3

**Preserved and processed products]**

*Article 27*

**Use of certain products and substances in processing of food**

1 [<sup>F1</sup>For the purposes of Article 19(2)(b) of Regulation (EC) No 834/2007, only the following substances can be used in the processing of organic food, with the exception of products of the wine sector, for which the provisions of Chapter 3a shall apply:]

- a substances listed in Annex VIII to this Regulation;
- b preparations of micro-organisms and enzymes normally used in food processing; [<sup>F2</sup>however, enzymes to be used as food additives have to be listed in Annex VIII, Section A;]
- [<sup>F3</sup>c substances and products as defined in Articles 3(2)(b) to (d) of Regulation (EC) No 1334/2008 labelled as natural flavouring substances or natural flavouring preparations, according to Articles 15(1)(e) and 16 of that Regulation;]
- d colours for stamping meat and eggshells in accordance with [<sup>F4</sup>Article 17 and Annex 2 of Regulation (EC) No 1333/2008];
- e drinking water and salt (with sodium chloride or potassium chloride as basic components) generally used in food processing;
- [<sup>F5</sup>f minerals (trace elements included), vitamins, amino acids and micronutrients, provided that:
  - (i) their use in food for normal consumption is ‘ directly legally required ’ , in the meaning of being directly required by provisions of [<sup>F6</sup>retained EU law], with the consequence that the food cannot be placed at all on the market as food for normal consumption if those minerals, vitamins, amino acids or micronutrients are not added; or
  - (ii) as regards food placed on the market as having particular characteristics or effects in relation to health or nutrition or in relation to needs of specific groups of consumers:
    - in 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 <sup>(1)</sup> , their use is authorised by that Regulation and acts

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adopted on the basis of Article 11(1) of that Regulation for the products concerned,

— <sup>F7</sup>— in products regulated by the following regulations, their use is authorised by those regulations:

- (i) the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003;
- (ii) the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004;
- (iii) the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004;]

— <sup>F8</sup>— in products regulated by the following regulations, their use is authorised by those regulations:

- (i) the Infant Formula and Follow-on Formula (England) Regulations 2007;
- (ii) the Infant Formula and Follow-on Formula (Wales) Regulations 2007;
- (iii) the Infant Formula and Follow-on Formula (Scotland) Regulations 2007;]]

2 For the purpose of the calculation referred to in Article 23(4)(a)(ii) of Regulation (EC) No 834/2007,

- a food additives listed in Annex VIII and marked with an asterisk in the column of the additive code number, shall be calculated as ingredients of agricultural origin;
- b preparations and substances referred to in paragraph (1)(b),(c),(d),(e) and (f) of this Article and substances not marked with an asterisk in the column of the additive code number shall not be calculated as ingredients of agricultural origin<sup>F9</sup>;

<sup>F2c</sup> yeast and yeast products shall be calculated as ingredients of agricultural origin as of 31 December 2013 .]

<sup>F103</sup> .....

<sup>F24</sup> For the traditional decorative colouring of the shell of boiled eggs produced with the intention to place them on the market at a given period of the year, the competent authority may authorise for the period referred to above, the use of natural colours and natural coating substances. The authorisation <sup>F11</sup> must not allow the use of] synthetic forms of iron oxides and iron hydroxides<sup>F12</sup> ....]

#### Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) No 203/2012 of 8 March 2012 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards detailed rules on organic wine.
- F2** Inserted by Commission Regulation (EC) No 1254/2008 of 15 December 2008 amending Regulation (EC) No 889/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control.
- F3** Art. 27(1)(c) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F4** Words in Art. 27(1)(d) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Substituted by Commission Implementing Regulation (EU) 2018/1584 of 22 October 2018 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).
- F6** Words in Art. 27(1)(f)(i) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 27(1)(f)(ii) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(a)(iv)(aa)** (as amended by S.I. 2020/1400, regs. 1(b), **3(3)(d)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** Words in Art. 27(1)(f)(ii) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(a)(iv)(bb)** (as amended by S.I. 2020/1400, regs. 1(b), **3(3)(d)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** Substituted by Commission Regulation (EC) No 1254/2008 of 15 December 2008 amending Regulation (EC) No 889/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control.
- F10** Art. 27(3) omitted (31.12.2020) by virtue of The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 27(4) substituted (31.12.2020) by The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 27(4) omitted (31.12.2020) by virtue of The Organic Production and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/693), regs. 1(2), **3(16)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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- (1) [<sup>F5</sup>Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).]

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#### **Textual Amendments**

- F5** Substituted by [Commission Implementing Regulation \(EU\) 2018/1584 of 22 October 2018 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 \(Text with EEA relevance\).](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 6Sch. 3](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Annex 2 para. 3 words substituted by [S.I. 2019/693 reg. 3\(56\)](#)
- Art. 29(1)(a) words substituted by [S.I. 2019/693 reg. 3\(17\)\(b\)\(i\)\(bb\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/693](#), reg. 3(17)(b)(i)(bb) substituted immediately before IP completion day by [S.I. 2020/1400](#), regs. 1(b), 3(3)(e))