

Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007

CHAPTER IV

LABELLING

Article 30

Use of terms referring to organic production

1 For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials used for its production are described in terms suggesting to the purchaser that the product, ingredients or feed materials have been produced in accordance with this Regulation. In particular, the terms listed in Annex IV and their derivatives and diminutives, such as ‘bio’ and ‘eco’, whether alone or in combination, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products referred to in Article 2(1) which comply with this Regulation.

2 For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising material or commercial documents of a product which does not comply with this Regulation.

Furthermore, no terms, including terms used in trademarks or company names, or practices shall be used in labelling or advertising if they are liable to mislead the consumer or user by suggesting that a product or its ingredients comply with this Regulation.

3 Products that have been produced during the conversion period shall not be labelled or advertised as organic products or as in-conversion products.

However, plant reproductive material, food products of plant origin and feed products of plant origin that have been produced during the conversion period, which comply with Article 10(4), may be labelled and advertised as in-conversion products by using the term ‘in-conversion’ or a corresponding term, together with the terms referred to in paragraph 1.

4 The terms referred to in paragraph 1 and 3 shall not be used for a product for which Union law requires the labelling or advertising to state that the product contains GMOs, consists of GMOs or is produced from GMOs.

5 For processed food, the terms referred to in paragraph 1 may be used:

- a in the sales description, and in the list of ingredients where such a list is mandatory pursuant to Union legislation, provided that:
 - (i) the processed food complies with the production rules set out in Part IV of Annex II and with the rules laid down in accordance with Article 16(3);

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, CHAPTER IV. (See end of Document for details)

- (ii) at least 95 % of the agricultural ingredients of the product by weight are organic; and
- (iii) in the case of flavourings, they are only used for natural flavouring substances and natural flavouring preparations labelled in accordance with Article 16(2), (3) and (4) of Regulation (EC) No 1334/2008 and all of the flavouring components and carriers of flavouring components in the flavouring concerned are organic;
- b only in the list of ingredients, provided that:
 - (i) less than 95 % of the agricultural ingredients of the product by weight are organic, and provided that those ingredients comply with the production rules set out in this Regulation; and
 - (ii) the processed food complies with the production rules set out in points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II and with the rules laid down in accordance with Article 16(3);
- c in the sales description and in the list of ingredients, provided that:
 - (i) the main ingredient is a product of hunting or fishing;
 - (ii) the term referred to in paragraph 1 is clearly related in the sales description to another ingredient which is organic and different from the main ingredient;
 - (iii) all other agricultural ingredients are organic; and
 - (iv) the food complies with points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II and with the rules laid down in accordance with Article 16(3).

The list of ingredients referred to in points (a), (b) and (c) of the first subparagraph shall indicate which ingredients are organic. The references to organic production may only appear in relation to the organic ingredients.

The list of ingredients referred to in points (b) and (c) of the first subparagraph shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

The terms referred to in paragraph 1, when used in the list of ingredients referred to in points (a), (b), and (c) of the first subparagraph of this paragraph, and the indication of the percentage referred to in the third subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

6 For processed feed, the terms referred to in paragraph 1 may be used in the sales description and in the list of ingredients, provided that:

- a the processed feed complies with the production rules set out in Parts II, III and V of Annex II and with the specific rules laid down in accordance with Article 16(3);
- b all of the ingredients of agricultural origin that are contained in the processed feed are organic; and
- c at least 95 % of the dry matter of the product are organic.

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

- a this Article by adding further rules on the labelling of products listed in Annex I, or by amending those added rules; and

- b the list of terms set out in Annex IV, taking into account linguistic developments within the Member States.

8 The Commission may adopt implementing acts to set detailed requirements for the application of paragraph 3 of this Article.

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

Article 31

Labelling of products and substances used in crop production

Notwithstanding the scope of this Regulation as set out in Article 2(1), products and substances used in plant protection products or as fertilisers, soil conditioners or nutrients that have been authorised in accordance with Articles 9 and 24 may bear a reference indicating that those products or substances have been authorised for use in organic production in accordance with this Regulation.

Article 32

Compulsory indications

1 Where products bear terms as referred to in Article 30(1), including products labelled as in-conversion products in accordance with Article 30(3):

- a the code number of the control authority or control body to which the operator that carried out the last production or preparation operation is subject shall also appear in the labelling; and
- b in the case of prepacked food, the organic production logo of the European Union referred to in Article 33 shall also appear on the packaging, except in cases referred to in Article 30(3) and points (b) and (c) of Article 30(5).

2 Where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall appear in the same visual field as the logo and shall take one of the following forms, as appropriate:

- a 'EU Agriculture', where the agricultural raw material has been farmed in the Union;
- b 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;
- c 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.

For the purposes of the first subparagraph, the word 'Agriculture' may be replaced by 'Aquaculture' where appropriate and the words 'EU' and 'non-EU' may be replaced or supplemented by the name of a country, or by the name of a country and a region, if all of the agricultural raw materials of which the product is composed have been farmed in that country and, if applicable, in that region.

For the indication of the place where the agricultural raw materials of which the product is composed have been farmed, as referred to in the first and third subparagraphs, small quantities by weight of ingredients may be disregarded, provided that the total quantity of the disregarded ingredients does not exceed 5 % of the total quantity by weight of agricultural raw materials.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, CHAPTER IV. (See end of Document for details)

The words ‘EU’ or ‘non-EU’ shall not appear in a colour, size and style of lettering that is more prominent than the name of the product.

3 The indications referred to in paragraphs 1 and 2 of this Article and in Article 33(3) shall be marked in a conspicuous place in such a way as to be easily visible, and shall be clearly legible and indelible.

4 The Commission is empowered to adopt delegated acts in accordance with Article 54 amending paragraph 2 of this Article and Article 33(3) by adding further rules on labelling, or by amending those added rules.

5 The Commission shall adopt implementing acts relating to:

- a practical arrangements for the use, presentation, composition and size of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 33(3);
- b the assignment of code numbers to control authorities and control bodies;
- c the indication of the place where the agricultural raw materials were farmed, in accordance with paragraph 2 of this Article and with Article 33(3).

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

Article 33

Organic production logo of the European Union

1 The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which comply with this Regulation.

The organic production logo of the European Union may also be used for information and educational purposes related to the existence and advertising of the logo itself, provided that such use is not liable to mislead the consumer as regards the organic production of specific products, and provided that the logo is reproduced in accordance with the rules set out in Annex V. In such case, the requirements of Article 32(2) and point 1.7 of Annex V shall not apply.

The organic production logo of the European Union shall not be used for processed food as referred to in points (b) and (c) of Article 30(5) and for in-conversion products as referred to in Article 30(3).

2 Except where used in accordance with the second subparagraph of paragraph 1, the organic production logo of the European Union is an official attestation in accordance with Articles 86 and 91 of Regulation (EU) 2017/625.

3 The use of the organic production logo of the European Union shall be optional for products imported from third countries. Where that logo appears in the labelling of such products, the indication referred to in Article 32(2) shall also appear in the labelling.

4 The organic production logo of the European Union shall follow the model set out in Annex V, and shall comply with the rules set out in that Annex.

5 National logos and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

6 The Commission is empowered to adopt delegated acts in accordance with Article 54 amending Annex V as regards the organic production logo of the European Union and the rules relating thereto.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, CHAPTER IV.