



Food and drink

Guidance for meeting 848

Email businesssupport@soilassociation.org for a copy of our 848 input comparison spreadsheet

Scope of regulation

The legislation applies to:

- Sea salt and other salts for food and feed
- Silkworm cocoon suitable for reeling
- Natural gums and resins
- Beeswax
- Essential oils
- Cork stoppers of natural cork, not agglomerated, and without any binding substances
- Cotton, not carded or combed
- Wool, not carded or combed
- Raw hides and untreated skins
- Plant-based traditional herbal preparation

Essential Oils

- Can be certified organic regardless of their final use. Even if for non-food use, e.g. cosmetic products.

Sea salt and other salts for food and feed

- Salt production can be certified organic
- However 848 does not have detailed rules for salt production. Seems unlikely detailed EU wide rules will be developed
- Can be certified in a member state either to private standards, or may develop own national rules
- If certified organic in an EU member state will be possible to label organic in UK and use Soil Association symbol
- No plans for Soil Association or Defra to develop organic salt production standards, so organic salt could not be produced in UK

Reduced list of permitted non-organic agricultural ingredients

- List of permitted non-organic agricultural ingredients dramatically reduced (implementing act 2021/1165)
- List in GB regulation very out of date. Many ingredients have been available in organic form for years
- SA standards required use of organic where available, so will impact smaller number of Soil Association licensed companies
- If you use any non-organic ingredients check your product formulations will comply

Reduced list of permitted non-organic agricultural ingredients

Authorised non-organic agricultural ingredients to be used for the production of processed organic food referred to in point (b) of Article 24(2) of Regulation (EU) 2018/848

Name	Specific conditions and limits
Alga Arame (<i>Eisenia bicyclis</i>), unprocessed as well as products of first-stage processing directly related to this alga	
Algia Hiijiki (<i>Hizikia fusiforme</i>), unprocessed as well as products of first-stage processing directly related to this alga	
Bark of the Pau d'arco tree <i>Handroanthus impetiginosus</i> ('lapacho')	only for use in kombucha and tea mixtures
Casings	from natural raw materials of animal or from plant origin material
Gelatin	from other sources than porcine
Milk mineral powder / liquid	only when used for its sensory function to replace wholly or partly sodium chloride
Wild fishes and wild aquatic animals, unprocessed as well as products derived therefrom by processes	only from fisheries that have been certified as sustainable under a scheme recognised by the competent authority in line with the principles laid down in Regulation (EU) No 1380/2013, in accordance with point 3.1.3.1.(c) of Part III of Annex II to Regulation (EU) 2018/848 only when not available in organic aquaculture

Change to derogation process for non-organic agricultural ingredients

- Defra will continue to issue derogations for ingredients not available in organic form, which are not listed in regulation 2021/1165
- Derogation period shorter than currently allowed in GB
- Initially up to 6 months, (rather than 12 months)
- Can be renewed twice, so max derogation period 18 months
- If product remains unavailable Defra will have to submit dossier to EC for addition to the regulation

Permitted additives & processing aids

Most remain the same as GB reg but some differences in terms of specific conditions of use.

View full details in our 848 input comparison spreadsheet, including additional requirements/ conditions of use.

Brief overview:

- Carnauba wax , Sodium tartrates , Potassium tartrates , Potassium sodium tartrate beeswax, Carnauba wax and Erythritol – must be included in product percentage calculations
- E335 Sodium tartrates and E336 Potassium tartrates, E337 Potassium sodium tartrate – must be organic from 1st January 2027
- Reduced levels of potassium nitrate and sodium nitrite for curing meat

Flavourings must be included in product percentage calculations.

No longer permitted in wine:

- Perlite, cellulose, diatomaceous earth

Ethylene post harvest

- EU organic regulation only permits ethylene on bananas and potatoes
- May also be used on citrus as part of a strategy for the prevention of fruit fly damage
- Implications especially for kiwi fruit, avocados and onions
- Let us know if you use ethylene on any other organic products

Flavourings

- Flavourings are included in the products organic percentage calculations (may not exceed 5% non-organic)

- Stricter requirements on types of flavourings that can be used and how labelled
- Rules on production of organic flavourings
- See our separate flavouring guidance for full details

Action for non-organic flavourings

- Check percentage used in product does not exceed 5%. (including any other non-organic ingredients that contribute to the total % of non-organic)
- If exceeds 5% switch to organic flavouring, or reformulate
- Get confirmation from flavouring supplier that flavouring complies with 848 requirements
- If not compliant – source a compliant version
- Complete SA Certification flavouring declaration for any new flavouring
- Check the description on final labelling is compliant

Action for organic flavourings

If you produce organic flavourings – Review your current products to check if they comply or will require reformulation and/or labelling amendments

If you use organic flavourings – Check with your flavouring supplier if the flavouring you use already meets 2018/848 requirements, or if they will have to re-formulation/ provide an alternative compliant product

If you use organic essential oils to flavour your product this will be compliant. You may need to check the description on any retail labelling is compliant.

Ion exchange and adsorption resin technique

Ion exchange and adsorption resin techniques may only be used for the preparation of organic raw materials in the following products:

- Infant formula and follow-on formula
- Processed cereal-based food and baby food for infants and young children

Provided that using those techniques is necessary to meet the requirements of the regulation governing their production

EU logo and statement of agriculture

- EU logo and associated statement of agriculture will be compulsory on prepacked product (retail packed)
- UK statement of agriculture will no longer be required
- For Northern Ireland we expect to retain a different certification body code from GB, but await Defra confirmation



Agricultural origin statement

- Statement of agricultural origin when using EU logo, can specify EU Non-EU or specific country if 95% of the ingredients were farmed/grown in that country or EU/non-EU
- Only 2% under GB reg

Labelling - additives & flavourings included in %

Flavourings and an increased number of additives are included in the product percentage calculations.

In addition, EU regulation has stricter requirements on types of flavourings that can be used (see separate flavouring guidance).

This may mean amendment of labelling and/or product composition for some companies.

Labelling - Hunting and fishing

Can make reference to organic in the sales description and in the list of ingredients, provided that:

- the main ingredient is a product of hunting or fishing
- reference to organic in sales description is clearly related to another ingredient which is organic and different from the main ingredient, e.g. Mackerel in organic tomato sauce

Different from GB regulation which only allows reference to organic in the same visual field as the sales description and in the ingredients list.

All other requirements regarding labelling are the same as GB regulation.

In-conversion labelling

- Less prescriptive than GB regulation in terms of wording permitted
- 'In-conversion' or corresponding term (similar/equal) together with terms referring to organic, e.g. 'in-conversion to organic'; 'In-conversion to organic production'
- All other requirements regarding labelling of in-conversion are the same as GB regulation

Certificates

Certificates will be issued on the EC TRACES system

- Will follow same format as those issued in the EU
- Will be accessed via the EU database
- Easier for customers to check your certification details

<https://webgate.ec.europa.eu/tracesnt/directory/publication/organic-operator/index>

Frequency of inspection

All operators must have a verification of compliance (including physical on-the-spot inspection) at least once a year.

Except where:

- previous controls not revealed any non-compliance affecting the organic integrity during at least three consecutive years

and

- our risk assessment of the operator (as per previous slides) presenting a low risk of non-compliance

In this case, the period between two physical on-the-spot inspections shall not exceed 24 months.

GB regulation allows wholesalers & storage dealing with pre-packaged product to have physical inspection every 3 years, (if deemed low risk).

These businesses will have to move to a 2 year physical inspection cycle.

This will affect wholesalers and any storage operations that store pre-packed product.

Dual certification

An operator cannot have certification with more than one CB for the same category of products in the same country. This includes at different stages of production, preparation and distribution. (2018/848 Article 35.4)

The categories are as follows (2018/848 Article 35.7):

- unprocessed plants and plant products, including seeds and other plant reproductive material
- livestock and unprocessed livestock products
- algae and unprocessed aquaculture products
- processed agricultural products, including aquaculture products, for use as food
- feed
- wine
- other products listed in Annex I to this Regulation or not covered by the previous categories

An operator is defined in 2018/848 as:

‘operator’ means the natural or legal person responsible for ensuring that this Regulation is complied with at every stage of production, preparation and distribution that are under that person’s control

Dual certification examples:

An egg producer who also packs eggs could not have certification with 2 different CBs. This is because both the production and the packing would be classed as category A products (unprocessed)

An egg producer who also processes the eggs into mayonnaise could have certification with different CBs as the egg production would fall under category A and the processing under category C (processed agricultural products)

Import / Export

Certificates of inspection (COI) should no longer be required for exporting from GB to EU, NI or EEA countries.

Indications are the requirement will be removed for imported product to be processed in GB before export to the EU, NI & EEA but await formal confirmation from Defra.

Imports from other 3rd countries into GB will use the EU TRACES system for COIs. Guidance will be provided on how to use TRACES.

The UK will adopt the EU lists of approved 3rd countries and certification bodies.

FAQs

Will there be a transition period for amending labelling? Will we be allowed to use up existing labelling stocks?

We are awaiting confirmation from Defra on this. We understand this forms part of the negotiations.

Will I have to switch to using compliant additives/processing aids/flavourings/agricultural ingredients from the date the SPS agreement comes into effect?

We assume yes, but are awaiting confirmation from Defra on this. We understand this forms part of the negotiations as to whether there will be a transition period for any ingredients, e.g. will companies be given longer period to switch to using compliant flavourings?

My organic product/ingredient is made in the EU/certified in a 3rd country to 2018/848, do I need to take any action?

No, the product/ingredient will have already been checked by your supplier's certification body for compliance with 2018/848.

What about product that has already been made prior to the SPS agreement coming into force? Can that be placed on the market after that date?

We are awaiting confirmation from Defra as to whether a transition period will be allowed. We understand this forms part of the negotiations.