

Biedermannsdorf, 10.03.2020

Information on the new organic regulation (EU) 2018/848 for the use of flavourings

The new organic regulation (EU) 2018/848 was published on 14 June 2018 and enters into force on 17 June 2018. From 1 January 2021 it is mandatory for organic products. This results in some significant changes in the application of flavourings, here is an overview.

A comparison of the most important changes of regulation (EC) 834/2007 and regulation (EC) 889/2008 to regulation (EU) 2018/848 regarding flavourings

	Regulation (EC) 834/2007, Regulation (EC) 889/2008	Regulation (EU) 2018/848
Which flavourings are allowed in organic products?	natural flavourings	natural x-flavourings (95% of the flavouring components must be obtained from the source material referred to, 5% may be obtained from other natural sources (natural flavouring substances, flavouring preparations; 95/5)
Must the flavouring be included in the quantity of agricultural ingredients	no	yes
Are there organic flavourings?	not clearly regulated	yes
May conventional flavourings be used?	yes	yes, but only natural x-flavourings (95/5)
Are there any restrictions for flavouring preparations?	no	yes, only flavouring preparations from food may be used (according to regulation (EC) 1334/2008 article 3 (2), (d) (i)).

Definitions

Organic flavouring

An organic flavouring may consist of the following ingredients:

- **flavouring part:** e.g. flavouring preparations or natural flavouring substances (95% of the flavouring part must be obtained from the source material referred to and must be organic)
- **non-flavouring part:** e.g. solvents, foodstuffs, additives
 - Agricultural ingredients from organic farming: 95% of the agricultural ingredients of the non-flavouring part must be organic. Agricultural ingredients include, for example, organic alcohol as a solvent or organic maltodextrin as a carrier and organic additives. Organic additives are of organic origin and marked with an asterisk in the annex to the regulation (EU) 2018/848, article 24 (2) and (4)
 - Agricultural ingredients from conventional farming: may constitute a maximum of 5% of the agricultural ingredients of the non-flavouring part, including conventional foodstuffs (permitted under article 24 (2) and (4)) and conventional additives with an asterisk (permitted under article 24 (2) and (4))
 - Ingredients that are not included in the calculation: e.g. additives permitted under regulation (EU) 2018/848 and not marked with an asterisk, water and salt

Conventional flavourings suitable for organic products

May consist of the following components: ingredients which are not organically produced, namely

- **Flavouring part:** e.g. flavouring preparations or natural flavouring substances: 95% of the flavouring components must be obtained from the source material referred to
- **non-flavouring part:** e.g. solvents and carriers, additives

Some questions and answers

When will the new organic regulation enter into force?

On 1 January 2021, the new organic regulation (EU) No. 2018/848 will enter into force at EU level.

Will only organic flavours be allowed to be used in organic products?

No, according to the new EU organic regulation, both conventional natural x-flavourings and natural x-flavourings from organic farming (organic flavourings) may be used in organic products.

Which flavourings may be used for organic products from 1 January 2021?

Unlike before, only natural x-flavourings may be used. This means that at least 95% of the flavouring components must come from the name-giving source. For example, in a natural orange flavouring, at least 95% of the flavouring components must be obtained from oranges.

Important, this requirement applies to both conventional and organic flavours.

Which additives and solvents may be used in flavourings for organic products?

In conventional natural x-flavourings, all additives and solvents that are permitted according to regulation (EC) 1334/2008 may be used, if they have no technological effect in the final product (carry over). If additives have a technological effect in the end product, they may only be used if they are permitted according to annex VIII (currently implementing regulation (EU) 2019/2164).

In organic flavourings, only additives that are permitted under annex (as amended) may be used. These annexes are published in implementing regulations.

Does the new organic regulation impose quantitative restrictions on the use of flavourings?

As flavourings are counted among agricultural ingredients, flavourings (natural x-flavourings) may be present in a maximum of 5% of the quantity of agricultural ingredients, provided that no other conventional agricultural ingredients are present in the product.

How is the organic content in the finished product calculated with regard to flavourings?

A maximum of 5% of the agricultural ingredients in organic products may come from conventional cultivation (with restrictions according to regulation (EU) 2018/848). In future, natural x-flavourings will be included in the amount of agricultural ingredients.

Conventional natural x-flavourings will be fully counted as conventional ingredients of agricultural origin (even if e.g. water is contained in the flavourings).

Organic flavourings will entirely be considered as agricultural ingredients of organic origin.

Is there a minimum proportion of organic raw materials?

Organic products must consist mainly (over 50%) of ingredients of agricultural origin, water and salt are not included. Furthermore, at least 95% of the ingredients of agricultural origin must come from organic farming. For example, if you produce an organic near water drink only with water and flavouring, you must use a natural x-flavouring in organic quality. If you produce an organic near water drink with juice and flavouring, you must use a minimum of 95% organic juice + 5% natural x-flavouring (conventional or organic).

Will the current organic products still be available in the familiar form?

So far, all natural flavourings and flavouring preparations could be used in organic products, regardless of the natural source of the flavouring components. This will no longer be possible from January 2021. Flavours from fruits rich in essential oils (e.g. citrus fruits) or herbal extracts will continue to be available as natural x-flavouring for organic products. In contrast, red or yellow fruits in particular, but also other fruits suitable for direct consumption, have low flavour intensity. For these flavours it will be difficult to achieve the same flavour intensity in natural x-flavourings at same cost. Also flavourings such as energy, tutti frutti, caramel, cola etc. are difficult to achieve with natural x-flavourings. Therefore it is possible that some flavourings can only be offered in a modified form.

Are there any further transition periods?

Products produced in accordance with organic regulation (EC) 834/2007 before 1 January may be placed on the market until stocks are exhausted.

What do these changes mean for producers of organic products?

Flavourings used must be checked for their admissibility under the new organic regulation and, if necessary, adapted according to the existing possibilities.

Information