



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
The Director

Brussels,
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Subject: Potential certification and labelling as organic of oils extracted from olives

Dear Representatives of the Control Bodies,

Following a request from a stakeholder, the Commission services have carried out the analysis below on the certification and labelling as organic of the eight categories of oils extracted from olives defined and described in Part VIII of Annex VII of Regulation (EU) No 1308/2013.

The scope of the organic legislation is set out in Article 1(2) of Regulation (EC) No 834/2007 covering live or unprocessed agricultural products, processed agricultural products for use as food, feed, vegetative propagating material and seeds for cultivation and yeast used for food or feed. Only products covered by the scope of the organic legislation and providing equivalent guarantees as regards the method of production and controls can be certified and imported as organic to the European Union pursuant to Article 33 of Regulation (EC) No 834/2007.

“Lampante olive oil” and “crude olive-pomace oil” as such are not suitable for human consumption. As a consequence, lampante olive oil” and “crude olive-pomace oil” are not processed agricultural products for use as food and are not covered by the scope of the organic legislation. Consequently, “lampante olive oil” and “crude olive-pomace oil” cannot be certified, labelled and imported as organic under the equivalence recognition of Article 33(3) of Regulation (EC) No 834/2007.

“Refined olive oil” and “refined olive-pomace oil” are obtained respectively by refining virgin olive oil, including lampante olive oil and crude olive-pomace oil. The organic legislation requires that products are produced mainly from ingredients of agricultural origin and that at least 95 % by weight of its ingredients of agricultural origin are organic (Articles 19(2)(a) and 23(4)(a)(ii) of Regulation (EC) No 834/2007). In the case of these two categories, the main ingredients, respectively “lampante olive oil” and “crude olive-pomace oil”, cannot be present in organic form for the reasons explained in the above paragraph. Therefore, “refined olive oil” and “refined olive-pomace oil” do not comply with the production rules for organic food set out in Articles 19(2)(a) and 23(4)(a)(ii) of Regulation (EC) No 834/2007 and cannot be certified, labelled and imported as organic under the equivalence recognition of Article 33(3) of Regulation (EC) No 834/2007.

“Olive oil – composed of refined olive oils and virgin oils” and “olive-pomace oil” are obtained by blending virgin olive oil (other than lampante olive oil) with refined olive

To Control Bodies recognised under Article 33(3) of Regulation (EC) No 834/2007

oils and refined olive-pomace oil, respectively. The main ingredients, refined olive oils and refined olive-pomace oil, cannot be present in organic form for the reasons explained in the above paragraph. Therefore, “olive oil” and “olive-pomace oil” do not comply with the production rules for organic food set out in Articles 19(2)(a) and 23(4)(a)(ii) of Regulation (EC) No 834/2007 and cannot be certified, labelled and imported to the EU as organic under the equivalence recognition of Article 33(3) of Regulation (EC) No 834/2007.

I recall that it remains the responsibility of the control bodies to ensure that the above mentioned oils are not certified and imported to the EU as organic.

Finally, “extra virgin olive oil” and “virgin olive oil” are obtained from the fruit of the olive tree and fully comply with the organic production rules of processed food. Following the above analysis, these two categories are the only ones that may be certified, labelled and imported as organic under the equivalence recognition of Article 33(3) of Regulation (EC) No 834/2007. Consequently, CN codes 15.09.10.20 and 15.09.10.80 are open in ECOI TRACES for the import into the EU of organic “extra virgin olive oil” and “virgin olive oil”.

The present opinion is the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



Nathalie SAUZE- VANDEVYVER