

Brief Information about Organic Food Additives

according to the European Regulation (EC) 834/2007 and the US National Organic Program (NOP)

1. Additives in Organic Food in the EU

- a. In the EU, additives allowed for food are regulated by Reg. (EC) 1333/2008, latest updated in October 2018. Each additive has an "**E-number**". As opposed to an "ingredient", an additive has mainly a **technological function** "for example to colour, to sweeten or to preserve". Sweetening seems to be included in the technological functions for historical reasons.
- b. According to the above mentioned definition, **sweeteners fall under "additives"**, not under "ingredients of agricultural origin". This applies e.g. to Steviol Glycoside (E 960), Erythritol (E 968), Xylitol (E 967) and similar substances.
- c. Also **Konjac** (E 425) is classified as an "additive" – even though there are many food items, where Konjac is the main ingredient.
- d. Current prevailing interpretation by the EU organic authorities is that **Annex VIII** to Reg. (EC) 889/2008 constitutes an **exclusive list of allowed food additives, whether organic or conventional**. Therefore, any of the above mentioned additives may not be used in organic multi ingredient food products, as long as they are not listed in Annex VIII.
- e. Since 2016, **Erythritol is allowed** as additive in organic food, because it is listed in Annex VIII – provided it is certified organic, and produced without the help of ion exchangers.
- f. When the European Commission says that Erythritol used as an additive must be "from organic production" (see Section (d) above) – this **implicitly** means that these sweeteners, as **mono-products, can be certified organic**, regardless of their approval as additives in Annex VIII.
- g. **We can offer our clients organic certification** of sweeteners and other **food additives as mono-products**, provided the raw material and processing steps comply with Regulation (EC) 834/2007 (equivalent rules for third countries). Clients should be aware, however, that for the above mentioned reasons, there might be problems with exporting these products as organic to EU member countries, as long as these additives are not listed in Annex VIII to Reg. (EC) 889/2008. CERES does not take any responsibility in this regard.
- h. For the moment, there is no general and consistent European ruling regarding **ion exchangers and adsorber resins** for organic food processing so far. Some EU member countries do not allow them, while others do. We therefore **strongly recommend our clients to use alternative technologies for all organic products**, not only for those, where this is explicitly prohibited in the Regulation, because – in addition to the other issues - ion exchanger technology might be another reason for rejecting organic products. **From 1 January 2021 on**, when the new EU Regulation on organic farming comes into force, also the Implementing Rules (EC) 2020/464 will apply. According to Art. 23, **ion exchangers and adsorber resins will be allowed only for baby food** from then on.
- i. Provided **final processing** (e.g. adding one of the above mentioned sweetener to a yogurt or to a candy) is performed **by a NOP certified operation inside the USA**, the final composed product **can be imported and sold in the EU as organic** under the NOP-EU equivalence agreement.

2. Status according to NOP

According to US legislation, general rules for Food Additives are defined in Federal Regulations, among others Part 170 (<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=b8c2a21e56b6d805d2a4813a9b675d16&ty=HTML&h=L&mc=true&n=pt21.3.170&r=PART>) As long as additives comply with these provisions and with the provisions of NOP, they can be certified organic and used as additives in organic food. Please note that the **allowance for ion exchangers and adsorber resins under NOP, will also be phased out shortly!**