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## COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	2 May 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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No. Cion doc.:	C(2023) 2781 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 2.5.2023 amending Regulation (EU) 2018/848 of the European Parliament and of the Council as regards detailed production rules for organic sea salt and other organic salts for food and feed

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Delegations will find attached document C(2023) 2781 final.

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Encl.: C(2023) 2781 final



Brussels, 2.5.2023  
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**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 2.5.2023**

**amending Regulation (EU) 2018/848 of the European Parliament and of the Council as regards detailed production rules for organic sea salt and other organic salts for food and feed**

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

Since 1 January 2022, sea salt and other salts for food and feed are included in the scope of the Union rules on organic production and labelling of organic products. Pursuant to Regulation (EU) 2018/848, organic salts must be produced in accordance with the principles and the general rules for organic production. Salt is not an agricultural product and may be obtained with different methods. It is necessary to detail the methods that may be used to produce organic sea salt and other organic salts for food and feed in accordance with Regulation (EU) 2018/848.

### **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

The draft act was discussed thoroughly with Member States at the Group of Experts on Organic Production as well as with the main organisations representing the organic sector and salt producers, namely IFOAM, COPA-COGECA, Artisanal sea salt Europa, Salimar and EUSALT. DG AGRI cooperated closely with other DGs in the field of their specific expertise when drafting those rules. WTO partners were notified. Following the concerns expressed by various stakeholders via the feedback mechanism, which took place from 7 December 2022 to 4 January 2023, the Commission proposes to provide for a reasonable time period for adaptation to the prohibition of evaporation techniques and drying salts by use of non-renewable energy in order to allow a smooth transition for the sector.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

This act lays down detailed production rules for organic sea salt and other organic salts for food and feed.

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 2.5.2023**

**amending Regulation (EU) 2018/848 of the European Parliament and of the Council as regards detailed production rules for organic sea salt and other organic salts for food and feed**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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<sup>1</sup>, and in particular Articles 21(1) and 30(7), point (a), thereof,

Whereas:

- (1) Since 1 January 2022, sea salt and other salts for food and feed are included in the scope of the Union organic rules following the inclusion of those products in Annex I to Regulation (EU) 2018/848. Organic salts that are intended to be produced, prepared, labelled, distributed and placed on the market as food or feed, imported into or exported from the Union, must be obtained in accordance with the principles and the general rules for organic production laid down in Regulation (EU) 2018/848.
- (2) Salts may be obtained with different methods. In particular, some salts, such as sea salt and salt from natural brine or from salt lakes, are produced following an operation of processing i.e. drying; while other salts, such as rock salts, are directly produced without processing, for example through drilling and cutting. Given this variety of methods, it is necessary to provide detailed production rules with which there should be compliance in order to obtain organic sea salt and other organic salts for food and feed. In order to support and facilitate compliance with organic production rules, operators should take preventive measures at every stage of production, preparation and distribution in accordance with Article 28(1) of Regulation (EU) 2018/848.
- (3) When a production unit of a holding is intended to obtain organic salt for food and feed, the production unit should be subject to a conversion period during which the unit is managed under organic production rules, but cannot produce organic products. Products should be allowed to be placed on the market as organic products only once the conversion period has elapsed. However, in accordance with Article 10(3), point (b), of Regulation (EU) 2018/848, a previous period may be recognised as being part of the conversion period if the product is produced in an area that, for a period of 6 months has not been treated with products and substances not authorised for use in organic production. The recognition of previous periods also applies to the production of organic salt if the area in which the salt is produced fulfils those conditions.
- (4) Salt is naturally present in nature either in solid form or dissolved in water; in order to ensure that organic salt corresponds to the true nature of the product, the processing methods that reconstitute the previous solid form after artificial dissolution such as recrystallisation should be prohibited.

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<sup>1</sup> OJ L 150, 14.6.2018, p. 1.

- (5) Certain production and preparation methods used to produce organic salts should be prohibited in order to protect the environment, to minimise the use of non-renewable energy, and to contribute to a non-toxic environment.
- (6) This Regulation prohibits the use of energy from non-renewable sources for evaporation techniques and drying in the production of organic salt. However, in order to give operators that have developed their economic activity using energy from non-renewable sources in the evaporation techniques and the drying process of organic salt the possibility to adapt, those operators should be allowed to keep using energy from non-renewable sources for those techniques and processes for a period of 2 years after the date of entry into force of this Regulation.
- (7) Iodine and ingredients of agricultural origin, such as herbs, may be added to salt. Salt should be labelled as organic only where all the added ingredients of agricultural origin are organic. Specific labelling rules should therefore be laid down for organic salt.
- (8) Regulation (EU) 2018/848 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EU) 2018/848 is amended as follows:

- (1) in Article 30, the following paragraph 6a is inserted:
  - ‘6a For sea salt and other salts for food and 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 salt complies with the detailed production rules set out in Part VIII of Annex II and represents more than 50% of the dry matter by weight;
    - (b) all of the ingredients of agricultural origin that are added to the salt are organic.’;
- (2) Annex II is amended in accordance with the Annex to this Regulation.

#### *Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

However, point 2.1.(e) of Part VIII of Annex II to Regulation (EU) 2018/848 as amended by Article 1, point (2), of this Regulation shall apply from [*two years after the date of entry into force of this Regulation – to be completed by OP*].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2.5.2023

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*