



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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

Brussels,
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Thank you for your e-mail of 15 April 2019 (Int. Ref. ARES (2019)2630181) asking clarification with respect to the meaning of “natural” milk in Article 20 of Regulation (EC) No 889/2008¹ and in particular, whether reconstituted milk powder is allowable under the term “natural milk”.

To address your question, I would recall not only the provisions of Article 20(1) of Regulation (EC) No 889/2008, which lays down: “*All young mammals shall be fed on maternal milk in preference to natural milk, for a minimum period of three months for bovines including bubalus and bison species and equidae, 45 days for sheep and goats and 40 days for pigs*”, but also the general provisions concerning feed of Article 14 of Regulation (EC) No 834/2007².

In particular, Article 14(1)(d) of Regulation (EC) No 834/2007 provides that: “*with regard to feed: (i) **primarily obtaining feed for livestock from the holding where the animals are kept or from other organic holdings in the same region;** (ii) **livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development.** A part of the ration may contain feed from holdings which are in conversion to organic farming; (iii) *with the exception of bees, livestock shall have permanent access to pasture or roughage;* (iv) *non organic feed materials from plant origin, feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production under Article 16;* (v) *growth promoters and synthetic amino-acids shall not be used;* (vi) **suckling mammals shall be fed with natural, preferably maternal, milk;**”.*

¹ Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1–84).

² Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02007R0834-20081010&qid=1396976187958&from=EN>

In addition, I would also refer to the new organic Regulation (EU) 2018/848³, which provides under its point 1.4.1. of Part III of Annex II : “*suckling animals shall preferably be fed on maternal milk for a minimum period laid down by the Commission in accordance with point (a) of Article 14(3); milk replacers containing chemically synthesised components or components of plant origin shall not be used during that period;*”.

The term “natural milk” is not defined in the organic legislation; however, on the basis of the above, such reference should be understood as referring to milk naturally produced by a lactating species, whilst the term “preferably” allows for certain flexibility in case maternal milk is not available.

Therefore, suckling animals should be fed with maternal milk (this is the milk from the mother of the animal). If this is not possible, the legislation gives certain flexibility to use other natural milk than maternal milk; this could be first milk from another lactating female of the same species from the holding or other organic holdings in the area, and if not available, milk from a closed species from the holding or other organic holdings in the area. Finally, based on the above-mentioned provisions, “reconstituted milk powder” cannot be considered “natural milk”.

The present opinion is provided on the basis of the facts as set out in your e-mail of 15 April 2019 and expresses 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 faithfully,



p.o. Nicolas VERLET
in absence of
Nathalie SAUZE- VANDEVYVER

³ [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 \(OJ L 150, 14.6.2018 p.1 \)](#)