



EUROPEAN COMMISSION
 DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
Director

Brussels,
 PP/nb(2019)2596522

[REDACTED]

Thank you for your e-mail of 3 December 2018 (Int. Ref. ARES(2018)5936517) in which you complain about the fact that competent authority for issuing organic certification in the region of Extremadura informed you on the fact that “smoked paprika” cannot be certified and you do not know how to proceed. Please accept my apologies for the very late reply.

First of all, I would recall that processed agricultural product for use as food are covered by the scope of Regulation (EC) No 834/2007¹. Moreover, “processing” is defined in Article 2(u) of Regulation (EC) No 889/2008, as “any action referred to in Article 2(1) point (m) of Regulation (EC) No 852/2004, including the use of substances referred to in Article 19(2)(b) of Regulation (EC) No 834/2007 [...]”. According to the referred provision, “processing” means any action that substantially alters the initial product, including heating, **smoking**, curing, maturing, drying, marinating, extraction, extrusion or a combination of those processes.

Hence, smoking is a processing practise allowed in organic food production and smoked paprika, when produced in accordance with requirements of organic legislation can be certified as organic.

Finally, to address your question, we have contacted the Spanish competent authority to verify whether any national legal provision could have been an impediment and relevant for this case. We have recently been informed that this is not the case, hence, on this basis, we recommend you that you contact again the regional competent authority.

¹ 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 (OJ L 189, 20.07.2007, p. 1-23)

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The present opinion is provided on the basis of the facts as set out in your e-mail of 3 December 2018 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 sincerely,



Nathalie SAUZE-VANDEVYVER