

Labelling and describing organic food

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This guidance is for England & Wales

The Organic Products Regulations 2009 regulate production and descriptions of organic products. The description 'organic' can only be used to describe agricultural products, livestock and foods that are produced and prepared in accordance with the detailed standards given in the Regulations.

Some compulsory labelling is required for prepacked organic food, and the EU logo must be shown.

What is organic?

The description 'organic' can only be used to describe agricultural products, livestock and foods that are produced and prepared in accordance with the detailed standards of the Regulations. These standards also include requirements for record keeping, labelling, marketing, and an inspection and certification system. Products described as organic must not contain any genetically modified or irradiated material.

The methods of production, processing, etc of organic products have to be inspected and certified by an authorised body (see below) to ensure that they meet the specified standards.

The term 'organic' can only legally be applied to products that fulfil this criteria.

Descriptions

There are strict controls covering the use of the term 'organic'. Where the term is used in relation to the final product, ingredients or farming method (including feed materials) these controls apply to:

- labelling
- advertising (whether written or by other means, such as a verbal description)

- commercial documents

The term 'organic' cannot be used as part of a trade mark or company name, or in any labelling or advertisement, if this would be likely to mislead consumers or users of the product into thinking that this product satisfied the legal requirements for organic products.

Types of product that can be described as 'organic'

- unprocessed products of agricultural origin - such as meat, fruit and vegetables - that have been produced in accordance with the criteria for organic products
- processed products with ingredients sourced by hunting or fishing, where at least 95% of the additional ingredients by raw weight are organic, and only processing aids and other additional ingredients from a restricted list have been used
- organic ingredients may still be described as such if they have been used in a product that has not been made of 100% organic products. This does not mean the finished product can be described as organic

Labelling

In addition to any labelling required under EU Regulation (EU) No 1169/2011 *on the provision of food information to consumers*, or any other product-specific regulations, the following will apply to organic food.

All organic food must show the code number of the authorised control body or inspection body to which the operator is subject, such as GB-ORG-2, GB-ORG-4, etc.

All prepacked EU organic food must show the EU organic logo. Variations as to how this may be presented can be found in Annex XI to EU Regulation (EC) No 889/2008 *laying down detailed rules for the implementation of Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control*.

Where the organic logo is shown, you must give a declaration of origin that can be seen on the packaging at the same time as the logo. This declaration must be either 'EU agriculture', 'non-EU agriculture' or 'EU/non-EU agriculture' (for a mix of EU and non-EU agricultural products).

If all the ingredients are from one EU country, the EU/non-EU term can be replaced or supplemented by the name of the country where all the materials of the product have been farmed. A maximum of 2% raw weight ingredients may be from a different organic origin.

Food imported from outside the EU may voluntarily use the EU organic logo, and must then comply with the other labelling requirements above.

The declaration of origin must not be more prominent than the sales description or name of the food.

Where organic ingredients are used in a product that is not 95% organic overall, then the term 'organic' may only be used in the ingredients list to describe the organic ingredient. You must also declare what percentage the organic ingredient makes up out of all of the agriculturally sourced ingredients.

Organic products from outside the EU

Products from outside the EU can be described as 'organic' if they fulfil all the criteria for organic production in the EU, and all operators down to the exporter are subject to control by an authorisation body recognised by the European Commission.

Authorised bodies

Any person who produces, processes or packs organic food products must have their methods of production, processing, etc inspected and certified by an authorised body. These bodies in turn must be registered and are overseen by the Department for Environment, Food and Rural Affairs (Defra), which is the appointed control authority for the UK. A list of UK approved organic control bodies can be found on the GOV.UK website.

You may also use the logo for the authorised body that you are registered with in addition to the compulsory EU organic logo.

Further information

Further controls are in place regarding notification of imports, and you should contact your local port health authority regarding these. For further information about labelling or claims you can contact your local trading standards service or Defra. All enquiries to Defra on this subject should be emailed to organic.standards@defra.gsi.gov.uk.

Penalties

Failure to comply with trading standards law can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information please see 'Trading standards: powers, enforcement & penalties'.

Key legislation

EU Regulation (EC) No 834/2007 *on organic production and labelling of organic products*

EU Regulation (EC) No 889/2008 *laying down detailed rules for the implementation of Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control*

Organic Products Regulations 2009

EU Regulation (EU) No 1169/2011 *on the provision of food information to consumers*

Food Information Regulations 2014

Food Information (Wales) Regulations 2014

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Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to legislation can be found on each link's 'More Resources' tab.

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