



EUROPEAN COMMISSION  
DIRECTORATE GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability  
The Director (acting)

Brussels  
[REDACTED]

Dear [REDACTED],

I would like to thank you for your email of 19 September <sup>(1)</sup>, in which you ask for clarification with respect to organic seed coating.

You ask in particular whether, in organic farming, the coating of seeds with non-active/inert substances - excluding uses covered by Annexes I and II of Commission Implementing Regulation (EU) 2021/1165<sup>(2)</sup> (i.e. plant protection products and fertilisers) - is covered by the European organic legislation and, if so, “*what rules should be referenced to ensure the compliance of texturizing seed coatings used in organic farming?*”

To answer your question, I would like to draw your attention to Article 9(3) of Regulation (EU) 2018/848<sup>(3)</sup>, which states the following:

*“3. For the purposes and uses referred to in Articles 24 and 25 and in Annex II, only products and substances that have been authorised pursuant to those provisions may be used in organic production, provided that their use in non-organic production has also been authorised in accordance with the relevant provisions of Union law and, where applicable, in accordance with national provisions based on Union law.*

*The following products and substances referred to in Article 2(3) of Regulation (EC) No 1107/2009 shall be allowed for use in organic production, provided that they are authorised pursuant to that Regulation:*

- (a) safeners, synergists and co-formulants as components of plant protection products;*
- (b) adjuvants that are to be mixed with plant protection products.*

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<sup>(1)</sup> Ares(2024)6659432

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/1165 of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists (OJ L 253, 16.7.2021, p. 13, ELI: [http://data.europa.eu/eli/reg\\_impl/2021/1165/oj](http://data.europa.eu/eli/reg_impl/2021/1165/oj)).

<sup>(3)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2018/848/2023-02-21>).

[REDACTED]

*The use in organic production of products and substances for purposes other than those covered by this Regulation shall be allowed, provided that their use complies with the principles laid down in Chapter II. (highlighting ours)”.*

Subject to any further information on the practice at stake and its assessment on the ground by the competent national authorities, my services consider that the coating of seeds may be performed, not only for plant protection or nutrition purposes, but also for other purposes such as creating a uniform seeds dimension for sowing or providing better imbibition of water to facilitate germination. Such purposes are not covered by Regulation (EU) 2018/848. In the light of the above-mentioned provisions and subject to the assessment mentioned above, I conclude that the use of coating of seeds could be allowed provided that this use complies with the principles laid down in Chapter II of Regulation (EU) 2018/848. Among the applicable principles, I would in particular recall Article 5(g) of Regulation (EU) 2018/848 concerning the restrictions on the use of external inputs and the limitations provided therein. All the other applicable provisions must of course be respected.

In my opinion, you could follow the same reasoning for the coating of conventional seeds under derogation, subject to any further information on this practice and its assessment by the competent national authorities.

I hope that these elements help you in assessing and clarifying the situation on the ground so that the EU legislation can be implemented properly. As you know, national authorities play a key role in ensuring that EU provisions are implemented correctly. It is essential for people and businesses to be able to benefit as much as possible from commonly agreed rules. My services support this by providing online information, by organising committees and expert group meetings, and by replying to your questions.

The present opinion is provided on the basis of the facts as set out in your email of 19 September 2024. It expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law, under the Treaty on the Functioning of the European Union, it is ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours sincerely,

