

Richard Swann

From: Stoddart, Katja (DEFRA) <Katja.Stoddart@defra.gsi.gov.uk>
Sent: 06 December 2017 13:54
To: Richard Swann
Subject: RE: Defra Derogation procedure
Attachments: Non-organic Ingredient Derogation Application Form.pdf

Dear Richard,

My sincere apologies for the delay in response. The derogation procedure is as follows:

Requests to Defra need to be submitted via an application form (attached). Please return it and documents to support the derogation request by email to organic.standards@defra.gsi.gov.uk.

A product may only be labelled and marketed as “organic” if 95% or more of its ingredients of agricultural origin are from organic production. The maximum quantity of a non-organic ingredient of agricultural origin allowed in an organic food product is 5% of the total ingredients of agricultural origin. For example, for a product containing grain, fruit, oil, sugar and water, plus a permitted processing aid, and some non-organic berries we would consider the following. The calculation should add the organic grain, organic fruit, organic sugar and organic oil, and the non-organic berries. The whole should add up to 100%, with the non-organic berries being no more than 5% of that total. Water and processing aids would not be counted, nor any non-agricultural ingredient such as salt. These should be listed as present where indicated on the form, but not included in the calculation. We can only authorise up to 5% non-organic agricultural ingredients.

Also, before issuing a derogation we ask for copies of letters or e-mails from at least three potential suppliers of the ingredients stating that they are unable to supply them in organic form due to non-availability on the EU market. The suppliers should be those who might reasonably be supposed to be able to source the ingredients organically. The copies need to include the letterhead or e-mail heading of the company concerned, and they must be of recent date.

We understand the difficulty of finding some ingredients in organic form, and that their chronic shortage may seem to make attempts to obtain them pointless, but the intention is that a wide search for an organic form of the ingredient (or an organic substitute) should be undertaken before a derogation is issued.

Our overall approach is to look to apply the Regulations flexibly so as not to disadvantage UK organic operators and producers. However, where flexibility does not exist we are bound by the letter of the Regulations.

Finally, we will send an invoice request form to Defra Receivables, (our Finance Section) and an invoice will be sent to you in due course. The invoice will be sent from a different office location, and could be after you receive your authorisation.

I hope this answers your query. Please don't hesitate to contact organic.standards@defra.gsi.gov.uk if you have any further queries.

Best wishes
Katja

Katja Stoddart | Technical Policy Advisor | Organics Team | Farming Markets Group, Future Farming Directorate | Department for Environment, Food and Rural Affairs
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Part-time (24hrs): at least Tue 10-3.30, Wed-Fri 9-3

From: Richard Swann [mailto:rswann@biodynamic.org.uk]
Sent: 17 November 2017 13:18
To: Stoddart, Katja (DEFRA) <Katja.Stoddart@defra.gsi.gov.uk>
Cc: Rees, Leeanne (DEFRA) <Leeanne.Rees@defra.gsi.gov.uk>
Subject: Defra Derogation procedure
Importance: High

Dear Katja

Can you tell me the current procedure for applying for derogation for organic processing please? It is a long time since we last applied for one and then I wrote to Matt who has now left.

Kind regards

Richard

Richard Swann
Processing Technical Officer
Biodynamic Association Certification

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