Artisanal Sea Salt Europe comments on the EGTOP report organic salt

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2.2. Production rules applicable to organic production of salt **2.2.1. Scope** In addition to the general production rules laid down in the Regulation (EU) 2018/848, the following rules shall apply to the organic production of food grade salt and salt for feed obtained from the sea, from rock salt deposits, from natural brine or from salt lakes. It does not apply to salt from origins other than those mentioned above, notably to the salt which is a synthetic product of chemical reactions, or is made from effluents from chemical industry, other industries and seawater desalination plants, or is a by-product from potash flotation. **2.2.2. Composition** (a) Organic salt shall be consisting predominantly of sodium chloride as defined in *Codex Alimentarius* Standard 150-1985 for food grade salt[1]. (b) By the way of derogation from point above, the level of sodium chloride may be lower in case when the provisions of Union law or provisions of national law compatible with Union law[2],[3] define this level differently (for example [4, 5, 6, 7, 8]: Salt flower/*Fleur de sel/Flor de sal, sal marina virgen, sel gris, sal marinho tradicional)*. (c) Organic salt may comprise natural secondary products, which are composed mainly of calcium, potassium, magnesium and sodium sulphates, carbonates, bromides and calcium, potassium, magnesium chlorides. (d) Natural contaminants may not be present in the final product at levels higher than maximum levels as defined in *Codex Alimentarius*[9, 10] for contamination and toxins in food and feed oras defined in the European[11] and national legislation, whichever is stricter. (e) The levels of natural secondary products referred to in point (c) shall be in line with the European legislation in case such legislation is established for salt for food and feed. (f) When placing on the market, the sodium chloride content of organic salt for feed shall be indicated on the label as required by current legislation[12, 13]. (g) Natural contaminants may not be present in organic salt for feed at levels higher than the maximum levels defined in Directive 2002/32/EC on undesirable substances in animal food. 1 *Codex Alimentarius*, Standard for Food Grade Salt. Codex Stand Number 150-1985 2 Commission Implementing Regulation (EU) 2020/1668 of 10 November 2020 specifying the details and functionalities of the information and communication system to be used for the purposes of Regulation (EU) 2019/515 of the European Parliament and of the Council on the mutual recognition of goods lawfully marketed in another Member State. 3 Regulation (EU) 2019/515 Of the European Parliament	Regulation (EU) 2018/848 states that the regulation shall apply to: - *sea salt and other salts for food and feed* It does not define the types of salts that should be covered. However, it is clear that only the salts that meet the objectives and principles set out in Regulation (EU) 2018/848 (article 4 and 5) can benefit from the EU organic label. As a result, each salt production technique should be examined carefully to define whether access to the EU organic label should be granted. In particular, does the salt production technique meet the following objectives of Reg 2018/848: • contribute to the protection of the environment and the climate • contribute to a high level of biodiversity • substantially contribute to a non-toxic environment • encourage the preservation of rare and native breeds in danger Does the salt production technique meet the principles of a sustainable management system, in particular: • respect for nature's systems and cycles and the sustainment and enhancement of the state of the soil, the water and the air, of the health of plants and animals, and of the balance between them; • the preservation of natural landscape elements, such as natural heritage sites; • the responsible use of energy and natural resources, such as water, soil, organic matter and air; • ensuring the integrity of organic production at all stages of the production, preparation and distribution of food and feed; • the appropriate design and management of biological processes, based on ecological systems and using natural resources which are internal to the management system Rock salt is a product of mining. Its production method is not based on an agricultural logic but on a mining logic: exploitation of a vein until it has dried up, then abandonment of the site and creation of a new exploitation around a new deposit, with extraction every single day of the year. It often requires evaporation after the extraction through underground mining techniques with cutting, drilling and blasting techniques involving the use of explosives or solution mining which includes drilling a borehole, injection of water into the deposit cavern and pumping out the saturated brine dissolution of the underground salt deposits. These non-natural techniques have a significant impact on the environment and natural resources. When mines are no longer used for salt production, they are often used to dispose of toxic waste, making them dangerous places that can have a long-lasting impact on the soil and the environment. **> Rock salt cannot be considered as organic.** Underground natural brines are natural. They can reach surface naturally in the case of salt springs. However, the pumping of underground natural brines for salt production creates underground water flows and, in most cases, rock salt dissolution. Also, it sometimes forces the injection of cement, diesel, compressed air or gases into the soil. Such production methods are source of disequilibrium of underground structures and are not compatible with principles and objectives of regulation 2018/848: - The distinction between natural and non-natural production techniques (whereas 10); - The contribution to protection of the environment and climate (Art 4(a)) - The responsible use of energy and natural resources, such as water, soil, organic matter and air (Art 5(c)) **> Salt from underground brine cannot be considered organic**

and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008. 4 Real Decreto 1424/1983, de 27 de abril, por el que se aprueba la Reglamentación Técnico-Sanitaria para la obtención, circulación y venta de la sal y salmueras comestibles. 5 Ministère de l'Économie, des Finances et de l'Industrie: Décret no 2007-588 du 24 avril 2007 relatif aux sels destinés à l'alimentation humaine. 6 Portaria nº 72/2008, de 23 de Janeiro 2008 7 2326. Pravilnik o kakovosti jedilne soli, stran 7498. Uradni list RS, st 46/2018 z dne 6.7.2018 8 NN 70/2019, n. 1472 - Ministarstvo poljoprivrede 9 *Codex Alimentarius*, Standard for contaminants and toxins in food and feed. Codex Stand Number 193-1995, 10 Codex Alimentarius, Standard for Food Grade Salt. Codex Stand Number 150-1985, 11 Revision Reg. (EC) 1881/2006 (Cd and Pb) Organic sea salt and other salts for food and feed - Final Report 12 Regulation (EC) No 2017/2279 13 Regulation ((EC) No 767/2009	**> Salt from natural salt spring can be considered organic** **The formulation of this paragraph should be revised as follows**: In addition to the general production rules laid down in the Regulation (EU) 2018/848, the following rules shall apply to the organic production of food grade salt and salt for feed obtained from the sea~~, from rock salt deposits, from natural brine~~ from natural salted water springs or from salt lakes. It does not apply to salt from origins other than those mentioned above, notably to rock salt, vacuum salt, the salt which is a synthetic product of chemical reactions, or is made from effluents from chemical industry, other industries and seawater desalination plants, or is a by-product from potash flotation.

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2.2.3. Use of certain products and substances (a) Food and feed additives, processing aids and non-organic agricultural ingredients, if authorized for organic production in the acts adopted on the basis of Article 24 (2)(a) and (b) of Regulation(EU) 2018/848, are authorized for production of organic salt, in accordance with restrictions and specifications included.	**The use of certain products and substances is proven as not necessary in salt production.** **Article 7.b and article 8.b of Regulation (EU) 848/2018 underline that *food and feed additives, non-organic ingredients, micronutrients and processing aids have to be used to a minimum extent*.** *Article 24.3 of Regulation (EU) 2018/848* states that: *3. The authorisation of the products and substances referred to in paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria, which shall be evaluated as a whole:* *(a) **they are essential for sustained production** and for the use for which they are intended;* Article 24.5 reads: *5. The authorisation of the use of chemically synthesised products and substances, in accordance with paragraphs 1 and 2 of this Article**, shall be strictly limited** to cases where the use of external inputs referred to in point (g) of Article 5 would contribute to unacceptable impacts on the environment.* So, **the use of food and feed additives, processing aids and non-organic agricultural ingredients in the production of organic salt should be evaluated on the basis not only of Article 24.2 but also of Articles 7.b, 8.b, Article 24.3 and Article 24.5.** More importantly, food additives and processing aids are absolutely not necessary for the production of organic salt. There are salt production methods do not require using any products or substance. **Therefore, as it possible to produce salt without additive, the production rules for organic salt should prohibit any additive while specifically authorize production methods that do not rely on additives.** **The formulation of this paragraph should be revised as follows**: Food and feed additives, processing aids and non-organic agricultural ingredients, **even** if authorised for organic production in the acts adopted on the basis of Article 24 (2)(a) and (b) of Regulation (EU) 2018/848, are **not** authorized for production of organic salt~~, in accordance with restrictions and specifications included.~~

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(b) Specifically, the use of the following anti-caking agents in fine-grained organic salts with a grain size not coarser than 2 mm is allowed in organic salt production: 1. E 535 Sodium ferrocyanide in organic salt for food and feed; 2. E 551b Colloidal silica in organic salt for food; 3. E 170 Calcium carbonate in organic salt for food; 4. E 504 Magnesium carbonate in organic salt for food. (c) Specifically, the following processing aids are allowed in organic salt production: 1. Nitrogen or air as blankets for solution mining; 2. calcium hydroxide, sodium hydroxide, sodium carbonate, carbon dioxide (flue gases from natural gas firing, which were prior subjected to wet washing) for brine treatment (softening); 3. sodium hydroxide for the regulation of the pH of brine; 4. calcium sulphate (gypsum) from natural origin as seed crystals in brine; 5. vegetable oils, only when derived from organic production, as anti-foaming agent. (d) Specifically, the following processing aids are not allowed in organic salt production: 1. diesel as blankets for brines; 2. flocculants for brine treatment (softening) such as polyacrylamides; 3. anti-foaming agents such as polydimethylsiloxane or vegetable oils. (e) The addition of iodine salts in organic salt production is allowed provided that their use is "directly legally required", in the meaning of being directly required by provisions of Union law or provisions of national law compatible with Union law, with the consequence that salt cannot be placed at all on the market as food for normal consumption if iodine was not added. The maximum and minimum levels used are to be calculated as iodine (expressed as mg/kg) and shall be established by the national health authorities in the light of the local iodine deficiency situation. These levels shall be in line with the European legislation in case such legislation is established for salt with iodine.	**Anti-caking agents** **Artisanal sea salts do not use anticaking agents.** Some large-scale sea salt producers also sell salt without additives, but the other **industrial salts use a lot of anti-caking agents.** Salt tends to absorb water in a wet atmosphere, leading to secondary crystallization and the formation of clumps and blocks of salt (caking). The need to use anticaking agents depends on the salt's grain size and moisture content, as well as on packaging size, storage conditions and the storage period. The use of anticaking agents is normally necessary in fine salts, of any origin, with less than 1 mm grain size. When artisanal sea salts are crushed to produce fine salt, the grain size must be at least 1mm. As a result, the artisanal sea salt sector does not use any anti-caking agent, even for fine salt. This is not the case of industrial salt producers who use anti-caking agents to meet expectations in industrial food process or other industrial uses (good flow; non sticking in silos or machinery) and, in retail, to provide free flowing salt even in very humid conditions. In the EGTOP report, the point on grain size (reference to 2mm) under which anti-caking agents are necessary is contradicting Annex I of the same report (p29): *"The need to use anticaking agents depends on the salt's grain size and moisture content, as well as on packaging size, storage conditions and the storage period. The use of anticaking agents is normally necessary in fine salts, of any origin, with less than 1 mm grain size. Coarse salts can rather be used without anticaking agents."* Special attention should be given to E535 and E551b, additives that are specifically highlighted by EGTOP Salt experts (Annex I of the same EGTOP final report, p30): « *International organic farming standards do not allow ferrocyanides as anticaking agents for salt to be used for organic food* », « *In the US, anticaking agents are not listed within the permitted additives allowed of the US NOP Regulations* ». **> Anti-caking agents are not essential additives, some are not authorised in food** **> Production rules for organic salt should not authorize any anti-caking agent.** **Processing aids** **Salt production is possible without processing aids as they are only required in artificial crystallization methods**: for rock salt recrystallization and refining, purification of dissolution mining brines and as a basic first step in all vacuum crystallization processes. It must be underlined that the authorization of processing aids was specifically required by only one expert out of 4 salt experts who were asked to advise the EGTOP and the EC. Such production methods - rock salt recrystallization and refining, purification of dissolution mining brines and vacuum crystallization processes - are not compatible with principles and objectives of regulation 2018/848: - The distinction between natural and non-natural production techniques (whereas 10) - Ensuring the integrity of organic production at all stages of the production, processing and distribution of food and feed (art 5 (e)) - The restriction of the use of external inputs (art 5 (g)) - The restriction of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes (art 7 (b)) **> Processing aids should not be authorized**

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2.2.4. Cleaning and disinfection products For cleaning, descaling and disinfection of process equipment, surfaces which are in contact with organic salt only the following products shall be used: (d) cold water and hot water for cleaning; (e) acetic acid, formic acid, diluted hydrochloric acid, and sodium carbonate for descaling; (f) hot water and steam for disinfection.	This proposal should be reviewed to take into account the applicable EU rules and should read: For cleaning, descaling and disinfection of process equipment, surfaces which are in contact with organic salt only the **products for cleaning and disinfection authorized pursuant to Article 24.1 (g) of Commission Regulation (EC) no 848/2018 and Annex VII of Commission Regulation (EC) no 889/2008 for use in buildings and installations shall be used for the purpose.** ~~following products shall be used:~~ ~~(d) cold water and hot water for cleaning;~~ ~~(e) acetic acid, formic acid, diluted hydrochloric acid, and sodium carbonate for descaling; (f) hot water and steam for disinfection.~~

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2.2.5. Practices and restrictions (a) The use of the following practices, processes and treatments in organic salt production is permitted: 1. direct supply of sea water to produce organic sea salt; 2. direct supply of salt spring water or salt lake water for salt obtained from natural brine; 3. supply of crystallized salt from underground or on-surface mining; 4. use of water or non-saturated brine to dissolve rock salt by solution mining in the underground, or by dissolution on surface; 5. physical-thermal evaporation and crystallization processes for the production of organic evaporated salt [multiple effect evaporation (MEE), mechanical vapour recompression (MVR), recrystallization and flash evaporation]; 6. rock salt mining by mechanical cutting with mechanical techniques, like roadheaders and continuous miners, or by drilling; 7. mechanical harvesting with agricultural equipment in the crystallisers; 8. manual harvesting in the crystallisers, including salt flower only from the surface of the brine in the crystallisers; 9. drying of salt with direct solar energy or with hot air. Where possible, the use of energy shall be limited to energy from renewable sources; 10. washing, centrifugation, nano-filtration; 11. sieving, sorting, crushing and grinding by mechanical means; 12. compaction by mechanical means; 13. optical and magnetic sorting of salt; (b) The use of the following practices, processes and treatments in organic salt production is prohibited: 1. rock salt mining by using explosives; 2. addition of oxygen scavengers to brine; 3. disposal of sludge from brine treatment and natural water-insoluble substances from rock salt dissolution, except in underground salt mines or brine caverns; 4. disposal of undiluted mother liquor (“bittern”) from sea salt crystallizer ponds to the sea; 5. use of steam with volatile boiler chemicals (oxygen scavengers, ammonia) for direct heating of brine; 6. use of biocides in cooling water systems, whereby the cooling water can come into direct contact with brine; 7. production of evaporated salt in open pans (pan salt), whereby the natural brine or seawater is heated with electricity, live steam or flue gas from gas, oil, wood and coal-fired systems; 8. use of plastic liners as the contact layer of the bottom of the evaporation and crystalliser ponds; 9. addition of colouring agents to seawater to increase absorption of sunlight; 10. production of solar salt from brine, which is made by solution mining or by dissolving rock salt on surface; 11. construction and maintenance of ponds for sea salt and solar salt production with contaminated material such as soil; 12. direct drying of salt with flue gas from oil, wood and coal-fired systems; 13. upgrading of rock salt with the following processes: i. flotation, ii. electrostatic separation, iii. thermoadhesive separation, iv. heavy media separation.	Based on the comments above, this part should be reviewed to ensure that only organic practices are allowed. **Move from permitted to prohibited**: • supply of crystallized salt from underground or on-surface mining; • use of water or non-saturated brine to dissolve rock salt by solution mining in the underground, or by dissolution on surface; • physical-thermal evaporation and crystallization processes for the production of organic evaporated salt [multiple effect evaporation (MEE), mechanical vapour recompression (MVR), recrystallization and flash evaporation]; • rock salt mining by mechanical cutting with mechanical techniques, like roadheaders and continuous miners, or by drilling • washing, centrifugation, nano-filtration; **Add to the list of prohibited practices, processes and treatments:** • Upgrading of brine, such as: ○ Brine purification with chemicals ○ Sedimentation by adding flocculating agents`gypsum slurry process ○ Brine concentration through evaporation with non-solar energy ○ Any washing processes including washing with production brines, diluted brines or other liquid; by spraying or counter-current flows, hydro-extraction, elutriation, etc. • Harvesting flower of salt other than manually and when it is floating at the surface • Addition of any additive to salt water or brine in saltworks including colouring agents or fertilizers • Addition of colouring agents to crystals

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2.2.6.Environmental aspects (a) Organic salt production techniques shall prevent or minimise any contribution to the contamination of environment, should contribute to biodiversity preservation and sustainable use of resources, as well as have almost zero ecological footprint. (b) The operator shall provide environmental assessment to the control authority or control body. The content of the environmental assessment shall be based on Annex IV to Directive 2011/92/EU[14] of the European Parliament and of the Council. (c) By the way of derogation from point (b), operators with a production lower than 500 tons of organic salt shall not be obliged to provide environmental assessment to the control authority or control body. These operators have to make sure that the size of the saltworks meets the requirements of the corresponding ecosystem[15] (d) The operator shall provide a sustainable management plan proportionate to the production unit. Business operators shall draw up as part of the sustainable management plan a waste reduction schedule to be put in place at the commencement of operations. Whenever possible, the use of energy shall be limited to energy from renewable sources. [14] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects ofcertain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1). [15] The appropriate size of saltworks to meet environmental and production requirements - Bernard Moinier- General Secretary, European Salt Producers Association (ESPA)	We propose to add the following point: **(e) in particular, the operator must take measures to maintain or increase biodiversity in the area of the production unit.** Regarding point c), footnote reference 15 to an ESPA document should be removed, as a regulation point shall not be based on a non-widely and scientifically accepted document.

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2.2.7.Water quality (a) Water quality levels shall be adequate to ensure the development and survival of characteristic biocenosis of sea saltworks, which are intrinsically necessary for sea [16] [17] salt production. Specific regulation enforcement shall protect and guarantee symbiosis between the ecosystem and the activity and the objectives of saltworks. (b) The production of salt is considered as organic production provided that the seawater and salty waters quality corresponds to clean seawater or clean water according to Article 2(1)(h) and (i) of Regulation (EC) 852/2004. (c) Contaminant control measures in the final product as established in agreed [18] [19] regulations (Codex Alimentarius Standards), shall apply to ensure both the quality of the organic salt and the quality of its natural source. [16] *Birds Directive* – Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds. [17] *Habitat Directive* – Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Natura 2000) [18] *Codex Alimentarius*, Standard for Food Grade Salt. Codex Stand Number 150-1985. [19] *Codex Alimentarius*, Standard for contaminants and toxins in food and feed. Codex Stand Number 193-1995,	

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2.2.8 Location (a) Operations shall be situated in locations that are not subject to contamination with products or substances not authorised for use in organic production, or with pollutants that would compromise the organic nature of the product. (b) Salt production shall not be considered as organic when practiced at locations or in areas designated by competent authorities (or certification bodies) as locations or areas which are unsuitable for such activities. (c) Vegetation surrounding the production unit should not be treated with any products other than those allowed in organic production.	

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2.2.9. Conversion rules (a) For salt obtained from the sea, rock salt deposits, natural brine or salt lakes, as defined in point 1, in order to be considered an organic product, a conversion period of at least two years before the first harvest shall be required. (b) Where the production unit has been contaminated with products or substances not authorized for use in organic production of salt, the competent authority (or certification body) may decide to extend the conversion period for the production units concerned beyond the period referred above. (c) No previous period may be retroactively authorized as being part of the conversion period, except where: 1. the operator's salt works and surroundings were subject to measures which were defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 for the purpose of ensuring that no products or substances other than those authorized for use in organic production have been used on those salt works and surroundings; or 2. the operator can provide proof that the salt work and surroundings, for a period of at least three years, have not been treated with products or substances that are not 9authorized for use in organic production.	If, in accordance with the previous considerations, salt from rock salt. Deposits and from natural brine are not eligible to the EU organic salt label, this paragraph should be redrafted as follows: (a)For salt obtained from the sea, ~~from rock salt deposits, from natural brine~~ from natural salted water springs or salt lakes, as defined in point 1, in order to be considered an organic product, a conversion period of at least two years before the first harvest shall be required

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2.2.10. Organic, in-conversion and non-organic production at the same holding (a) The production of organic, in-conversion and non-organic salt in the same production unit is permitted. (b) Where organic, in-conversion and non-organic products, in any combination, are prepared, processed or stored at the same holding, the operator shall: 1. inform competent authority or, where appropriate the control authority or control body, accordingly; 2. carry out the operations continuously until the production run has been completed, separately in place or time from operations performed on any other kind of product (organic, in-conversion or non-organic). 3. store organic, in-conversion and non-organic primary and final products, before and after the operations, separate by place or time from each other; 4. keep available an updated register of all operations and quantities processed for organic, in-conversion and non-organic production, including information on additives used and practices, processes and treatments applied in non-organic salt production; 5. take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges between organic, in-conversion and non-organic products; 6. carry out operations on organic or in-conversion products only after suitable cleaning of theproduction equipment.	Organic, in-conversion and non-organic production should be possible at the same holding. However, production of salt in any unit shall not be considered as organic unless the conversion rules have been strictly respected.

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2.2.11. Misleading nature of products (a) Products, substances and techniques that reconstitute properties that are lost in the production or storage of organic salt, that correct the results of negligence in the production of organic salt, or that otherwise may be misleading as to the true nature of products intended to be marketed as organic salt, shall not be used.	We agree with this provision and consider that it reinforces the need to look at some salt production techniques such as recrystallisation processes and refining processes that are used to reconstitute properties of the salt that are lost in the production processes. These techniques should be prohibited under the EU organic salt rules.

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2.2.12. Obligation of operators (a) Operators producing organic salt shall establish and update appropriate procedures based on systematic identification of crucial production steps. (b) The application of the procedures referred above shall ensure that the produced organic saltcomply with this Regulation at all times.	