



# Capsulas

## EU Ecolabel only if products comply with EU requirements

*Judgment of the Court of 4 October 2024, Herbaria Kräuterparadies, C-240/23*

On 4 October 2024, the Court of Justice of the European Union (CJEU) issued an interesting ruling in the area of food supplements. This ruling clarifies the requirements of labelling of organic products in the European Union (EU).

### Background

The main case concerned “Blutquick”, a food supplement marketed by a German company with the EU organic production logo on its labelling.

The German authorities ordered the removal of this logo from the labelling and advertising of the product, because Blutquick did not comply with the conditions of Regulation (EU) 2018/848 on organic production. As a result, it could not use the logo, nor terms related to EU organic production.

The company challenged this decision on the grounds that this Regulation resulted in unequal treatment with other similar imported products. In this respect, it argued that a US product could bear the EU organic production logo by complying only with US standards, considered equivalent to those of the EU, without needing to comply with the EU rules.

The German courts referred to the CJEU for a preliminary ruling. They questioned whether a product imported from a third country with equivalent production standards, may use the EU organic production logo without complying with the requirements of the Regulation.

### Conclusions of the CJEU

The CJEU concludes that products imported from third countries can be marketed in the EU as organic if they comply with equivalent production standards recognised by the EU. However, these products can only use the EU organic production logo if they fully comply with the requirements of Regulation (EU) 2018/848. Therefore, it is not sufficient that these products come from third countries with equivalent standards.

According to the CJEU, the purpose of this logo is to inform consumers that the product complies with requirements of EU law. Allowing the use of the EU logo on products that only comply with equivalent standards, could mislead consumers and undermine fair competition in the internal market.

On the other hand, the Court accepts that a product imported and marketed in the EU may use the organic production logo of its country of origin, even when it uses terms related to organic production. The CJEU considers that such a logo does not give the impression that the imported products necessarily comply with all EU production and control standards.

This judgment illustrates the need for clear rules on labelling and advertising to guide market operators, especially in a sector such as food supplements. It also reminds us of the importance of interpreting these rules in accordance with the principles of consumer protection and integrity of the internal market.

