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Controversy in Spain

The term 'bio' is non-exclusive

With the approval of the Royal Decree 506/2001 the Spanish Central Government has frustrated the Spanish organic sector. This decree, which was approved on 28 May 2001, liberalises the use of the terms 'bio' and 'biológico' on labels for non-organic food, reserving only the terms 'ecológico' and its derivative 'eco' for labelling organically produced food.

Currently, the term 'bio' is used on many different non-organic food products in Spain. Its main use is on yoghurts with 'bifidus', but it can also be found on other dairy products, meat products, biscuits, juices, teas, olive oil, etc. In fact, the term has come to have no clearly defined meaning at all. For example, it can be used on the label because vitamins have been added to the product, or just because the packer thinks that it sounds good.

The organic sector claims that Spanish consumers traditionally associate 'bio' with organic products. However, it is not just tradition that the organic sector is defending, it is also responding to EU legislation, which protects the use of this term. Specifically, 'bio' and 'biológico' are protected for exclusive use on organic food by Council Regulation (EC) 1804/1999, incorporated into the

2092/91, an obligatory requirement in all the EU countries.

A former Royal Decree in Spain, the 1852/1993, protected the denominations 'biológico' and 'ecológico', as well as the derivatives 'bio' and 'eco', for use only on organically certified food products. However, the EC Regulation 1804/99 was never correctly implemented by the Spanish Government, and even before the new Decree came into force in May 2001 it was possible to find the term 'bio' on non-organic food labels. This was noticed and criticised by the EU Commission in a report published by DG SANCO. The report, published in June 2001, was based on an inspection mission to Spain that took place in December 2000.

One organic organisation has gone further than just complaining about the situation. Soon after the liberalisation of the use of 'bio' was announced, CAAE (Andalusian Organic Agriculture Committee) denounced the Minister of Agriculture and Fisheries (MAPA) to the EU Commission and the Spanish Supreme Court.

Although events are still progressing, the reaction of the different actors in this controversy have so far been as follows:

- The Spanish Supreme Court officially communicated to CAAE that

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