



EC Register for Interest Representatives No 109356110578-03

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EVU Position Paper

New Regulation On Novel Foods Is Law – Now Make It Work for Plant-based Foods

This position paper summarises the hopes and expectations of the European vegetarian and vegan movement on Regulation (EU) 2015/2283 on novel food (OJ L 327 of 11.12.2015, p. 1) which provides for a modernised regulatory framework for innovative food products in Europe. This paper is the sequel to the EVU position paper dated 28 July 2014 on the Commission proposal then under negotiation and summarises how the EVU intends to engage to facilitate market entry of plant-based novel foods.

The European Vegetarian Union (www.euroveg.eu) is the voice of the growing number of Europeans choosing vegetarian and vegan products over animal-based nutrition. Its aim is to make vegetarian and meat-reduced lifestyles attractive, available and safe for consumers, producers and retailers and to provide adequate information on related health issues, as well as on plant health, animal health and welfare, and environmental protection, with reference to a vegetarian lifestyle. The EVU is also the organisation backing the 'V-Label' (www.v-label.eu), a voluntary certified labelling scheme.

The EVU is registered in the Register of Interest Representatives (No. 109356110578-03).

INNOVATION AND IMPORT

The EVU welcomes the new Regulation on Novel Food as a necessary and timely measure for bringing more numerous and more varied plant-based foods to the European market and to the consumer's plate. Insofar as Commissioner Andriukaitis states that "this agreement is about innovation, new technologies and simplification" we fully agree and express the hope that the market entry threshold for developers and importers of novel vegetarian and vegan foods – often SMEs – is lowered compared to the situation set to prevail until 2018. The modernised authorisation procedures designed to accelerate the speed of processing applications from an average 3.5 years to 18 months must now face their reality test

The legislative procedure is concluded. Its sequel is a phase where a number of Commission implementing acts and guidance notes from both the Commission and EFSA are to be prepared and adopted. The EVU offers its expertise on plant-based foods and on the market for vegetarian products and hopes to be included in the circle of stakeholders consulted on these acts and documents.

In the transitional period 2016/7, and while a series of implementing measures are taken by the European Commission and by EFSA, the EVU wishes to emphasise the importance of the following points:

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SME-friendly application procedures

Innovators in plant-based foods often are small in scale. Regulation (EU) 2015/2283 does not provide for a 'light' version of safety standards for small players, and that is entirely justified. Food safety should not be compromised by the SME-character of a food business operator. It is therefore very important that in the elaboration of the implementing acts to be enacted on the basis of Article 13 and Article 20 of Regulation (EU) 2015/2283, as well as in the EFSA guidelines to be published, provisions are made that allow SMEs to handle the complexity of an application procedure. Namely standardised forms could facilitate the task of applicants.

A role for NGOs as applicants

NGOs and universities must be recognised as "representations of several interested parties" and thus as applicants under Article 3(2)(d) of Regulation (EU) 2015/2283. Their role could be crucial for bundling the interests and pooling the resources of SME applicants.

The EVU considers itself to be qualified to become an applicant in novel food authorisation procedures as an "interested party". Given that, under Regulation (EU) 2015/2283, authorisations will be generic and can thus be used by any market player complying with the requirements stated in the Union list, the EVU is keen to channel the efforts of food business operators by becoming an applicant itself. It is our intention to help bundle interests and to sponsor consortia founded for the purpose of bringing new vegetarian products to the market. In the two-year implementation phase, the EVU would therefore hope that the Commission, in enacting the implementing acts laying down administrative and scientific requirements for applications (Article 13 and Article 20), makes provision for associations like the EVU (as well as, for example, universities) to take the lead in novel food authorisation procedures.

Taking due account of consumption records from other countries

A successfully completed notification procedure under Article 14 of Regulation (EU) 2015/2283 offers the best chances for a quick market entry of plant-based products from third countries. In order to make the use of Article 14 a viable option (and avoid switching to Article 16 as the quasi standard procedure), the criterion of "history of safe food use in a third country" (Article 3(2)(b) of Regulation (EU) 2015/2283) must be a threshold easy to pass. The world's plant life provides a staggering number of at least 250,000 edible plants, of which only a tiny fraction is actually used in Europe. A vast quantity of plants with huge culinary potential is waiting for entry to the European market.

People in Asia, the Americas, and Africa know of the qualities of native plants and plant-based foods. Their knowledge should count. Their testimony should suffice for issuing a novel food authorisation of foods that have been consumed for at least a generation ("traditional there – novel here") and the paperwork underpinning their witness should remain manageable.



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Animal testing

In accordance with Recital 32 with reference to Directive 2010/63/EU, the upcoming implementing measures should assure that risk assessments for novel foods should avoid stipulating any form of animal testing. Regulation (EU) 2015/2283 should be interpreted in a way that requires as little use of animals in the approval procedures as possible.

In particular 90-day rodent feeding studies are not expedient in assessing the suitability of foods for human consumption; they should not be required for any kind of Novel Food.

Foods solely consisting of plant ingredients pose fewer risks of certain health hazards, i.e. infectious diseases. This should be taken into consideration.

Duplications of testing should be categorically excluded.

Food research: A pathway for meat, egg and dairy alternatives

When not originating from plants grown overseas, novel vegetarian foods often come along as innovations resulting from intensive food research. The Commission is about to launch the “Food 2030 – European Food Research Area”. Clearly, for the sake not least of food sustainability, research into novel plant-based foods should be intensified and accordingly encouraged and financially supported by the EU.

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