



Joint Position of FoodDrinkEurope and the European Vegetarian Union (EVU)

Towards a legally binding definition of the terms “Food suitable for vegans” and “Food suitable for vegetarians” in accordance with Regulation (EU) No. 1169/2011¹

To date, there is no legally binding definition of the terms “food suitable for vegans” and “food suitable for vegetarians” for food labelling purposes – neither at EU nor at Member States level. Taking into account the rising interest in and demand for vegan and vegetarian foods and the correspondingly increasing relevance of this market segment, a definition is essential in order to guarantee the freedom of choice of the consumers as well as the functioning of the Single Market for foodstuffs.

The food industry is developing an ever-widening range of products that are being marketed as suitable for vegans and vegetarians or under similar terms. Although the general idea of vegan and vegetarian foods (no animal products or no animal flesh, respectively) is uncontested, there can be differing interpretations when it comes to details. These can lead to obstructions of the free movement of goods and to contradictions in food labelling. In order to achieve certainty to the benefit of the industry and to avoid confusion on the part of the consumers, appropriate legal measures should be taken with regard to the labelling of foods which have been produced without the use of all or certain substances of animal origin.

By the Food Information to Consumers Regulation (Regulation (EU) No. 1169/2011), the European legislator requires the European Commission to issue an implementing act on voluntary food information “related to suitability of a food for vegetarians or vegans” (article 36 (3)(b)). Definitions of the terms “food suitable for vegans” and “food suitable for vegetarians” will be the core of this implementing act.

The European food and drink industry, as represented by FoodDrinkEurope, and the European vegan and vegetarian movement, as represented by its umbrella organisation European Vegetarian Union (EVU), are jointly proposing a wording which meets the requirements of consumers interested in vegan and vegetarian products as well as those of manufacturers of such foods.

The wording is sufficiently narrow so that the terms “food suitable for vegans” and “food suitable for vegetarians” retain their meaning and, hence, guide interested consumers in their food purchase decisions. At the same time, it is sufficiently pragmatic and realistic so that the range of products to be labelled “food suitable for vegans” and “food suitable for vegetarians” is not unnecessarily restricted. This would artificially complicate plant-based lifestyles and impose pointless obstacles on food manufacturers.

¹ This joint position does not address the issue of sales denominations.

A very similar wording has been backed by all relevant tiers of the German political system as well as the German food industry and the EVU's German affiliate VEBU. It was put into effect for the German food control authorities in April 2016.

FoodDrinkEurope and EVU urge the European Commission to fulfil its obligation and start working on an implementing act regarding voluntary food information on foods suitable for vegans and vegetarians. Both associations are willing to offer their expertise to the Commission and are convinced that the hereby proposed wording (Annex 1) is a very good basis for the discussion which will hopefully start soon.

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Annex I

Proposed EVU and FoodDrinkEurope definitions of “food suitable for vegans” and “food suitable for vegetarians”

(1) Food suitable for vegans

Foods that are not products of animal origin and in which, at no stage of production and processing, use has been made of or the food has been supplemented with

- ingredients (including additives, carriers, flavourings and enzymes), or
- processing aids, or
- substances which are not food additives but are used in the same way and with the same purpose as processing aids,

that are of animal origin.

(2) Food suitable for vegetarians

Foods which meet the requirements of paragraph 1 with the difference that in their production and processing

1. Milk and dairy products,
2. Colostrum,
3. Eggs (No. 5 of Annex I to Regulation (EC) No. 853/2004),
4. Honey (Annex I to Directive 2001/110/EC),
5. Beeswax,
6. Propolis, or
7. Wool grease including lanolin derived from the wool of living sheep

or their components or derivatives may be added or used.

(3) A claim that a food is suitable for vegans or suitable for vegetarians is not precluded by unintended presence in the food of products which do not comply with the requirements of paragraphs 1 or 2, if and to the extent that this is unavoidable at any stage of production, processing and distribution, despite appropriate precautions being taken in compliance with good manufacturing practices.

(4) Paragraphs 1 to 3 shall apply accordingly if food information is provided which is synonymous with ‘food suitable for vegans’ or ‘food suitable for vegetarians’ from a consumer perspective.

Reasoning in Detail

Ad Paragraphs 1 and 2

It is the objective of this definition to rule out the deliberate use of non-vegan or non-vegetarian substances in vegan or vegetarian products. This applies to all substances, independent of their amount, which are used at any stage in the production and processing of foods. The presence or effect in the final product is not decisive, meaning that, for example, processing aids are covered by the definition as well.

Ad Paragraph 2

Paragraph 2 lists animal-based substances that are traditionally and in the eyes of consumers, which are interested in vegetarian foods, considered vegetarian and therefore can be used for vegetarian products.

Ad Paragraph 3

The potential and unintended presence of non-vegan or non-vegetarian substances should not be an obstacle to labelling a product as vegan or vegetarian, provided that such contamination takes place despite a careful production process that complies with best practices and the state of the art.

This position corresponds with the basic judgement and day-to-day purchase practice of the overall majority of people considering themselves vegan or vegetarian or being interested in vegan and vegetarian products. The reasoning behind this is that the purchase of vegan or vegetarian foods in which animal-based substances might be present due to unavoidable cross-contamination does not contribute to the increased use of animals which would be an issue from the perspective of many of the aforementioned people.

For consumers interested in vegan and vegetarian foods, a wide range of suitable products on offer is vital. Overly strict rules on cross-contamination would unnecessarily complicate the situation for them as well as for food manufacturers. Such a step would pointlessly limit the availability of foods labelled as vegan and vegetarian.

The precautionary allergen statement ensures that allergic consumers can inform themselves about this aspect of a food.

Ad Paragraph 4

Within the European Union, terms other than “food suitable for vegans” and “food suitable for vegetarians” or their direct translations are in use to label vegan and vegetarian foods as they convey the same information to the consumers. In order to leave appropriate freedom to food manufacturers with respect to the marketing of their products and also to take into account different terminology traditions and practices in the Member States, this paragraph ensures that the definitions also apply to foods that are labelled with terms that can be expected to have the same meaning from the perspective of the consumers.

At the same time, the proposed FoodDrinkEurope and EVU definitions should not preclude the use of more specific terms that are not covered by these definitions.