

Brussels, 20 October 2014

## PFP position as regards the scope of the definition of Novel Food in the proposal for a Regulation of the European Parliament and of the Council on Novel Foods

As explained in our position dated 10 June 2014<sup>1</sup>, the definition of “novel foods” as presented in the Commission’s proposal<sup>2</sup> lacks legal certainty, is too wide in scope, open to interpretation, and is likely to result in systematic request for advice or decision on novel food status in case of doubt (by food business operators or Member State authorities). If maintained as such, it would thus have serious implications on Primary Food Processors (PFP).

PFP therefore welcomes the efforts of the Council and of the Parliament to **precise the scope of the definition of novel food by reintroducing specific food categories** (to which a food would have to belong in order to be classified as a “novel food”) to the date of 15 May 1997. In particular, PFP fully supports the reinstatement of the **current food categories** which had been cut in the Commission proposal.

For the sake of legal certainty, PFP would recommend to **retain the current wording of the categories (see annex I) or a wording which is as close as possible to the current wording and is equivalent in interpretation**. This is particularly important in order to avoid that foods having been lawfully placed on the EU market since 15 May 1997 and which were not in the scope of the previous Regulation, would become subject to approval as novel food (which would be in contradiction with the objective of the revision of the Regulation).

The **Primary Food Processors of the EU (PFP)** consists of six trade associations:

**European Starch Industry Association** (Starch Europe)  
**European Committee of Sugar Manufacturers** (CEFS)  
**European Cocoa Association** (ECA)  
**European Flour Milling Association** (European Flour Millers)  
**European Vegetable Protein Federation** (EUVEPRO)  
**European Oil and Proteinmeal Industry** (FEDIOL)

PFP represents the European primary food processing industries. It provides the link between agricultural raw materials and final products (secondary processors in the food, feed and non-food sectors). PFP members process approximately **220 million tons of raw materials** (cereals, sugar beet, rapeseeds, soybeans, sunflower seeds, cocoa beans, crude vegetable oil, starch potatoes...) **employing over 120 000 people** in the European Union.

<sup>1</sup> Concerns for Primary Food Processors with regards to the scope of the definition of Novel Food in the proposal for a Regulation of the European Parliament and of the Council on Novel Foods COM (2013) 0894 (10 June 2014)

<sup>2</sup> Proposal for a Regulation of the European Parliament and of the Council on novel foods, COM(2013) 894 final



## The Vital Link in the Food Chain

### Annex I

#### Food categories which are part of the definition of Novel Food in the current Regulation on Novel Foods (Regulation (EC) No 258/97)

- foods and food ingredients with a new or intentionally modified primary molecular structure;
- foods and food ingredients consisting of or isolated from micro-organisms, fungi or algae;
- foods and food ingredients consisting of or isolated from plants and food ingredients isolated from animals, except for foods and food ingredients obtained by traditional propagating or breeding practices and having a history of safe food use;
- foods and food ingredients to which has been applied a production process not currently used, where that process gives rise to significant changes in the composition or structure of the foods or food ingredients which affect their nutritional value, metabolism or level of undesirable substances.

