



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

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

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 State level. The rising interest in and demand for vegan and vegetarian foods, and the increasing importance of this market segment, makes it essential to have a definition to provide consumers the ability to make informed choices and guarantee the functioning of the Single Market for foodstuffs.

The food sector is developing an ever-widening range of products that are being marketed as suitable for vegans and vegetarians or using similar terms. The general idea of vegan and vegetarian foods (no animal products or no animal flesh, respectively) is clear, but there can be differing interpretations when it comes to the detail. Contradictory national recommendations on food labelling can hamper the free movement of goods across Europe. To avoid confusion on the part of the consumers, and provide all actors in the food supply chain with legal certainty, appropriate, legal measures are needed covering the labelling of foods produced without the use of all or certain substances of animal origin.

The Food Information to Consumers Regulation (Regulation (EU) No. 1169/2011) requires the 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, represented by FoodDrinkEurope, the retail and wholesale sector represented by EuroCommerce, and the European vegan and vegetarian movement, represented by its umbrella organisation European Vegetarian Union (EVU), are jointly proposing wording which meets the requirements of consumers interested in vegan and vegetarian products as well as helping manufacturers and distributors of such foods meet those consumer requirements in a consistent way.

The wording we propose in Annex I is sufficiently narrow to ensure that the terms “food suitable for vegans” and “food suitable for vegetarians” retain their meaning and, hence, give interested consumers accurate guidance in their purchasing decisions. At the same time, it seeks a pragmatic and realistic balance to avoid the choice of products labelled “food suitable for vegans” and “food suitable for vegetarians” is not unnecessarily restricted. This could otherwise artificially complicate plant-based lifestyle choices. Very similar wording was brought into effect by the German food control authorities in April 2016, after being endorsed by a broad consensus of the German political system as well as the German food industry and EVU’s German affiliate ProVeg.

FoodDrinkEurope, EuroCommerce and EVU urge the European Commission to meet the requirement in Regulation (EU) No. 1169/2011, and start work urgently on an implementing act covering voluntary food information on foods suitable for vegans and vegetarians. All three associations are willing to support the Commission with their expertise, and ask the Commission to consider the wording set out in Annex 1 as a basis for the discussion which we would ask to start soon.

Contacts

European Vegetarian Union (EVU)
Ronja Berthold
Head of Public Affairs
ronja.berthold@euroveg.eu

FoodDrinkEurope
Dirk Jacobs
Deputy Director General / Director Consumer Information, Diet and Health
d.jacobs@fooddrinkeurope.eu

EuroCommerce
Els Bedert
Director, Product Policy
bedert@eurocommerce.eu

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.