



EAPF Position on the Revision of EU Marketing Standards

Brussels, 16 February 2021

The European Alliance for Plant-based Foods (EAPF) welcomes the opportunity to contribute to the public consultation on the Inception Impact Assessment (IIA) on the proposal for a revision of the EU Marketing Standards.

Harmonised marketing standards are essential to the good functioning of the EU single market, and play a role in ensuring fair market access for a wide variety of products. They are particularly useful in ensuring that consumers across the EU are provided with consistent and transparent food information. Because of their impact on trade and beyond, marketing standards should be in line with the EU food law and policies in every respect – from labelling to hygiene and sustainability requirements.

Marketing standards should reflect EU ambitions and changing consumer behaviours

The European Union has shifted its approach to food production and consumption since the adoption of Regulation (EU) No 1308/2013 on Common Market Organisation for agricultural products (CMO Regulation), and rightly so. The **Farm to Fork Strategy**¹ aims for the EU to become the first carbon-neutral continent by 2050. It thus sets the path for the transition towards sustainable food systems, and explicitly **recognises the need to move towards more plant-based diets** to reduce our collective environmental footprint.

Those policy objectives are all the more important as they are rooted in **changing consumer behaviour**, which sees increasing demand for plant-based food products for various reasons (medical, environmental, ethical)².

Plant-based food sales currently stand for a relatively small, but fast-growing share of the market – 0.7% and 2.5% of the meat and dairy markets respectively. Yet, the sector is forecast to be worth €7.5 billion in the EU by 2025, with an average retail growth of 10% per year³.

¹ European Commission (2020). [Farm to Fork Strategy: For a fair, healthy and environmentally-friendly food system](#).

² BEUC (2020). [One bite at a time: Consumers and the transition to sustainable food](#). Analysis of a survey of European consumers on attitudes towards sustainable food.

³ ING Report (2020). [Growth of meat and dairy alternatives in stirring up the European food industry](#).



Marketing standards thus play a role in ensuring that food labelling conveys clear and transparent information to consumers, using food denominations they understand and are familiar with.

Some Member States have already embraced this trend and revised national legislation to take this paradigm shift into account. For instance, Germany and the Netherlands have adopted rules and provided clear guidelines for labelling of vegetarian products, so as to allow consumers to identify the products they need while setting a strict framework to avoid any misuse of meat denominations.

In a similar way, EU marketing standards for agricultural products need to better reflect evolving consumption behaviours, as well as the EU policy drive for sustainable food systems. Yet, regulatory initiatives in recent years sought to achieve the opposite.

Marketing standards should not create market barriers

The 2013 CMO Regulation, to some extent, takes into account evolving demand for plant-based products. However, its implementation across Member States has been inconsistent, leading to market distortions. More worryingly, we have seen **various attempts over the past years to instrumentalise those marketing standards to restrict consumer and market access**, especially for plant-based food products.

In the context of the Commission's proposal for a revision of the CMO Regulation, Members of the European Parliament have proposed two amendments⁴ for this purpose:

- **Amendment 165**, intended to reserve the use of meat-related terms such as "steak", "sausage" or "burger" exclusively for products that contain meat;
- **Amendment 171**, which would prohibit any reference to and "evocation" of dairy terms, e.g. "creamy", "plant-based alternative to yoghurt" or references such as "this product does not contain milk".

While Amendment 165 was rejected, Amendment 171 was adopted in plenary, adding to existing EU-wide restrictions on the use of dairy-related terms.

Such measures would be over-restrictive. Those designations, associated with a description indicating the plant-based nature of the product, are important for the consumer's understanding of the texture, shape, composition and preparation of the food (e.g. a

⁴ European Parliament (2020). [Report on the proposal for a regulation of the European Parliament and the Council amending Regulation \(EU\) No 1308/2013 establishing a common organisation of markets for agricultural products.](#)



“vegetarian burger” or “plant-based sausages” can be grilled; a product described as “creamy” can be used in cooking).

Amendment 171 proposed by the European Parliament would introduce restrictions akin to market barriers to business development and stifle innovation. They go against the purpose of marketing standards, i.e. to see to the good functioning of an innovative single market. More importantly, they would create confusion in consumers as food labels for plant-based foods would become less clear and easy-to-understand: A key principle of Regulation (EU) No 1169/2011 on the provision of food information to consumers (FIC).

New concerns arise from certain national laws that go further into contradicting the EU rules. France is soon expected to release a decree that would significantly restrict the use of meat designations for plant-based protein products. Not only does this go against the EU Plant Protein Report⁵, but especially contribute to fragmenting the EU plant-based food internal market.

EAPF supports Option 3 for the limited revision and modernisation of EU Marketing Standards

EAPF is thus supportive of a limited revision of EU Marketing Standards for modernisation purposes, as per **Option 3** of the Commission’s Inception Impact Assessment.

Marketing standards should reflect changing consumption attitudes, increasing interest in sustainable diets, and be aligned with the objectives of the Farm to Fork Strategy to promote more sustainable food systems. This harmonisation is all the more necessary as **marketing standards are used as references for various regulatory purposes**, e.g. for setting rules for green claims calculations or selecting products eligible for school schemes. In this respect, they should not rely on too narrowly defined product categories, but allow for fair comparison between products intended for similar use or function.

EAPF thus call on the European Commission to see to proper implementation of the EU marketing standards. The latter’s primary objective should remain to **facilitate trade and innovation on the single market, with no discrimination against targeted foods and while properly informing consumers about the products they buy.**

The European Alliance for Plant-Based Foods (EAPF) brings together like-minded organisations in the plant-based value chain around a unique mission: To put plant-based foods at the heart of the transition towards more sustainable and healthy food systems. The Alliance represents the entire plant-based value chain: Food producers and manufacturers, NGOs, nutritionists, research & academia, and consumers.

⁵ European Commission (2018). [Report on the development of plant proteins in the European Union](#).