

## EAPF urges EU policymakers to take into account the views of all stakeholders in the CMO negotiations

Brussels, 14<sup>th</sup> April 2021

In the context of the interinstitutional negotiations – trilogues – on the proposal for a revision of the Common Market Organisation (CMO) for agricultural products Regulation (EU) No 1308/2013, the European Alliance for Plant-based Foods (EAPF) and its members **urge EU policymakers to take into account the views of all stakeholders opposing Amendment 171.**

If Amendment 171 were adopted it would have significant impacts solely affecting plant-based foods, with no restrictions being imposed on other sectors. **If enacted, these new measures would be far stricter than the existing regulations, which already make plant-based alternatives to dairy the most -restricted food group in the EU.** Dairy terms are already protected under EU law and the *TofuTown* case (2017) further confirmed a strict interpretation of the legislation.

**The wording of Amendment 171 is inspired by the provisions applicable to the protected designations of origin in Regulation (EU) No 1151/2012.** While such provisions are part of a regime comprising designations of origin and proprietary protection of specific products such as Champagne within the sparkling wine category, their transposition to commodity dairy products and terms is widely inappropriate. More specifically, **Art. 6 of this Regulation explicitly prohibits the registration of generic terms (such as milk, butter, whey, cheese and so forth).**

Amendment 171 **was adopted by the European Parliament with a small majority**, and it became apparent after the vote that its impact was not fully understood as it was presented as a mere codification of existing legislation and case law, which it is not.

**Amendment 171 is a new protectionist measure for a particular segment of the food industry,** which is already largely protected and supported. Stakeholders directly affected and who stand to lose out should be consulted accordingly.

**Many stakeholders – from consumers and the plant-based value chain to NGOs and policymakers – have condemned** the excessive and far-reaching impacts of those new restrictions, and invited policymakers to reject Amendment 171:

- ✓ 430.000 individual consumers signed the [“Stop the Plant-based censorship” petition](#);
- ✓ 21 NGOs, including WWF and Greenpeace called for a rejection of AM171 in an [open letter](#);

- ✓ 94 organisations – companies and NGOs alike – called against AM171 in a [joint letter](#);
- ✓ The European consumer organisation, BEUC, [wrote](#) last year to the MEPs to campaign against the amendment as they saw no justification for such extra restrictions;
- ✓ Several representatives from the dairy industry, including the CEO of Berglandmilch, the biggest Austrian dairy cooperative with over 11,000 members, denounced AM171 in a media statement;
- ✓ [34 Members of the European Parliament recently signed a letter](#) addressed to the Commissioner Janusz Wojciechowski and to reject AM171;
- ✓ Greta Thunberg, the environmental campaigner, representing the movement “Youth for Climate” [has also spoken out against AM171](#), asking to remove it.

Those voices must be heard and deserve the attention of the EU institutions. Without such dialogue, decisions may be taken that would have widespread, damaging consequences for consumers, food producers and crop farmers – who are all part of the plant-based value chain.

We are **concerned about the lack of understanding of Amendment 171, which is not the simple codification of existing rules, as some parties are suggesting, but has vast legal consequences, censoring important consumer communication and information on the plant-based dairy alternatives.** This censorship will deprive consumers from important information to make informed choices and will also hamper the shift towards more sustainable plant-based diets, impacting innovation and the growth of the emerging plant-based food chain. Amendment 171 was never subject to an impact assessment or included in a public consultation, the stakeholders who will be affected by this draft legislation have never been invited to provide feedback on it.

We understand discussions are ongoing regarding a potential compromise wording for consideration at the upcoming CMO triologue negotiations in April.

EAPF and its members **urge the Portuguese presidency and the EU institutions to reject Amendment 171 and to allow feedback throughout the interinstitutional negotiations from the sector that will be directly affected – the plant-based sector.**

*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.*