

EAPF Position on the Revision of EU Marketing Standards

Brussels, 30 August 2021

EU marketing standards underpin the Common Agricultural Policy (CAP), and aim for standardised, good quality agri-food products to reach the internal market. The European Commission's evaluation¹ of 20 October 2020 concluded that to the effectiveness of marketing standards in providing stability for farmers and food manufacturers, ensuring fair market access for the variety of agricultural products, and guaranteeing quality foods for consumers.

Given their impact on agricultural and market practices, as well as their ability to respond to and shape consumer expectations, marketing standards should play a role in enabling the transition to sustainable food systems. Therefore, the European Alliance for Plant-based Foods (EAPF) supports the European Commission's objectives to align the standards with the EU Farm to Fork Strategy².

Marketing standards need to account for technological innovation and to contribute to sustainable food systems, including the shift to more plant-based diets. In this respect, they should:

- Support the transition to sustainable food systems and healthy diets;
- Secure a functional single market for diverse plant-based food products;
- Support the greening of the CAP and the transition to more sustainable agriculture.

1. Supporting the transition to sustainable food systems and healthy diets

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), out of concerns for the well-being of its population and for the impacts of climate change.

¹ European Commission (2020). SWD(2020)230. [Evaluation of marketing standards](#) (contained in the CMO Regulation for agricultural products, the Breakfast Directives and CMO secondary legislation).

² European Commission (2020). [Farm to Fork Strategy: For a fair, healthy and environmentally-friendly food system](#).



While the European Green Deal aims for the EU to become the first carbon-neutral continent by 2050, the Farm to Fork Strategy sets the path for the transformation of the agri-food sector. It **recognises the need to move towards more plant-based diets** to reduce our collective environmental footprint and achieve the transition to sustainable food systems.

This shift is all the more important as it reflects **evolving consumer behaviour and habits**, with increasing demand for plant-based foods out of various concerns (medical, environmental, ethical)³. Although representing a relatively minimal share of the meat and dairy markets – 0.7% and 2.5% respectively-, plant-based food sales are growing rapidly. The sector is forecast to be worth €7.5 billion in the EU by 2025, with an average retail growth of 10% per year⁴. In addition to fruit, vegetables and legumes, plant-based products – processed foods made from vegetables, grains, pulses (including soy), nuts, fermented micro-organisms (e.g. fungi), and algae – provide opportunities for moving to healthy and sustainable diets on the short and long term. With plant-based foods, consumers have access to diverse food products that can substitute animal-based proteins (meat, eggs, dairy, fish and seafood), with nonetheless similar eating experience and lower environmental costs.

Marketing standards can play a role in the development of a sustainable agri-food sector, contributing to higher income and better livelihood for crop farmers, easier market access for manufacturers, as well as quality products and clear information for consumers. Some Member States are embracing this trend and have revised national legislation to take this paradigm shift into account. For instance, Germany and the Netherlands have adopted rules and provide clear guidelines on the labelling of vegetarian products as to allow consumers to easily identify the products they need.

Furthermore, **food innovation is and will be instrumental to the transition**. Whether at product level (new recipes, formulations, and ingredients) and in processing (new manufacturing techniques for products containing less fats, sugar and salt), innovation can help improve the quality and nutritional profile of food, offer new solutions responding to evolving consumer demand, and provide alternatives for more plant-based diets⁵.

Notwithstanding their objective to smoothen the functioning of the single market while observing high food quality requirements, **EU marketing standards should provide for sufficient flexibility to enable innovation in the agri-food sector**. Excessively strict requirements will hamper new food technologies and recipes reaching the market.

³ 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.

⁴ ING Report (2020). [Growth of meat and dairy alternatives in stirring up the European food industry](#).

⁵ European Commission (2020). [Farm to Fork Strategy: For a fair, healthy and environmentally-friendly food system](#).



Yet, there have been several attempts to introduce market barriers for innovative plant-based foods at EU level over recent years.

2. A functional single market for diverse plant-based food products

According to Recital 71 of the (2013) CMO Regulation, ‘marketing standards should apply to enable the market to be easily supplied with products of a standardised and satisfactory quality, and in particular should relate to technical definitions, classification, presentation, marking and labelling, packaging, production method, conservation, storage, transport, related administrative documents, certification and time limits, restrictions of use and disposal.’

Marketing standards relate to quality guarantee and smoother trade within the EU. There is, however, room for improvement for plant-based foods with regard to the latter. While the (2013) CMO Regulation partially accounts for evolving demand for plant-based products, its implementation across Member States has been inconsistent, leading to market distortions.

Most importantly, it is thus **essential to avoid the instrumentalisation of marketing standards towards introducing trade barriers: a regular practice with regard to plant-based foods**. For instance, in the context of the Commission’s proposal for revising the CMO Regulation⁶, Members of the European Parliament proposed two amendments⁷ intended for restricting consumer and market access for plant-based products:

- **Amendment 165**, intended to reserve the use of meat-related terms such as ‘steak’, ‘sausage’ or ‘burger’ exclusively for products containing 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’.

Had they been adopted, those measures would have been over-restrictive. In particular, Amendment 171 would have affected products already subject to restrictions: dairy terms such as ‘milk’, ‘yoghurt’ or ‘cream’ are already protected under EU law, which forbids their use to describe plant-based analogues to dairy.

Designations referring to the plant-based nature of a product are important for consumers’ understanding of the texture, shape, composition and preparation of the food (e.g. a ‘vegetarian burger’ or ‘plant-based sausages’ can be grilled; a product described as ‘creamy’ can be used in cooking). Those amendments were also in contradiction with Regulation (EU)

⁶ COM(2018)394.

⁷ 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.](#)



No 1169/2011 on food information to consumers (FIC Regulation), which already entails provisions against misleading labelling practices.

From EAPF's perspective, the European Commission must see to a coherent regulatory framework, with no overlaps between pieces of legislation. **Issues pertaining to food labelling and denominations fall under the scope of the FIC Regulation**, and should not be addressed through EU marketing standards. Such use of marketing standards goes against their very purpose, i.e. to see to the good functioning of an innovative single market and variety in food supplies.

EU marketing standards should ensure fair market access for all products – especially a level playing field between animal- and plant-based foods–, and avoid disguised trade barriers. They should also account for the consumer perspective: Consumers consider food products based on their functionality. E.g. butter or margarine may be used for cooking; cow or plant-based dairy (soy, oat, almond drinks) in pastries and breakfast; meat or plant-based proteins for daily protein intake. It is thus important to secure access to a variety of goods that enable informed food choices.

Last but not least, EAPF calls to caution regarding the suggestion to develop new marketing standards for plant-based protein products. Those represent a broad and diverse category, which encompasses foods made from protein-rich grains and seeds (e.g. quinoa, chia seeds), pulses (such as beans, lentils), algae and tofu. Although 'plant-based' is a common characteristic, such products are widely different – both in terms of composition and production process. A common EU marketing standard handling them as a single category would be ill-adapted to the specifics of plant-based protein products, while multiple standards per type of product would prove too rigid and hamper innovation in the plant-based food sector. On this basis, EAPF does not support new marketing standards for plant-based protein products.

3. Greening the CAP and the transition to sustainable agriculture

Agriculture is a significant contributor to the climate crisis we are currently facing⁸. Reaching the EU climate ambitions and the targets of the Paris Agreement requires a deep transformation of our food production and consumption patterns⁹; and EU policies and instruments play an important role in this regard. EU marketing standards are complementary to the CAP and should support the transition to sustainable agriculture in Europe. This entails

⁸ Crippa, M., Solazzo, E., Guizzardi, D. et al., Nat Food 2, 198–209 (2021). *Food systems are responsible for a third of global anthropogenic GHG emissions*.

⁹ Clark, M. A., Domingo, N. G., Colgan, K., Thakrar, S. K., Tilman, D., Lynch, J., ... & Hill, J. D. (2020). [Global food system emissions could preclude achieving the 1.5° and 2° C climate change targets](#). Science, 370(6517), 705-708.



integrating sustainability criteria in existing standards. The carbon footprint of farming and food production appear as the most meaningful component, both from an agricultural and a consumer perspective.

Marketing standards are the basis for various pieces of EU legislation, e.g. for setting rules for environmental footprint calculations or selecting products eligible for school schemes. In this respect, the Commission should ensure consistency across the regulatory framework, including for sustainability requirements such as carbon food pricing.

EAPF calls on the European Commission to **strengthen the sustainability dimension of marketing standards, and to align them with the ambition of the EU Farm to Fork Strategy to move towards more plant-based diets**. The primary objective of marketing standards should remain to facilitate trade and innovation on the single market, with no discrimination against targeted foods.

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.