

## Brief Information on “Novel Food” in the European Union

### 1. Definition and regulation:

The term “**Novel Food**” refers to products that do not have a “significant” history of consumption in the European Union. Food can be “new” because the plant was unknown in Europe before, or because of a new method for processing, which changes the chemical characteristics of a product. In the present context, we only refer to the first case: new plants or crops.

The legal basis is Regulation (EC) 258/1997. Through this regulation, the EU wants to protect consumers from possible health risks. The year **1997 is established as reference**: food that was already on the market before this year, is not considered “novel food”. Products that entered the European market for first time after this year, are to be considered “novel food”, and must undergo an approval process. The person or company that wants to sell the product in Europe, must apply for its approval to the food authority in his/her member state.

### 2. Where to find information, current legal situation:

At [http://ec.europa.eu/food/safety/novel\\_food/catalogue/search/public/index.cfm](http://ec.europa.eu/food/safety/novel_food/catalogue/search/public/index.cfm) you find a database of products, for which approval as “novel food” has been requested in one of the EU member states. When it comes to plant species, you must use the Latin name, if you want to find it in this list. The database shows you if a product has been approved as innocuous novel food (✓), its approval has been requested and denied, or not yet granted (✗), or it is considered as “food supplement” (FS) that must be used exclusively for this purpose.

Nevertheless, the legally binding status of this database is not fully clear. E.g. Stevia (*Stevia rebaudiana*) is considered “novel food” by the competent authorities in various member states. However, the species is not listed in this database – possibly because nobody has applied for its approval? On the other hand, there are products such as Cañihua (*Chenopodium pallidicaule*), which are listed with the ✗ symbol, but still are being freely sold in several member states.

Legally, the term “novel food” is relevant only for **food in the stricter sense**. A non-processed crop is legally not “food”, because potentially it could also be used for other purposes (a potato can be used for making starch for industrial purposes, Melissa leaves can be used for natural medicine, olives for making cosmetics, etc.).

Currently, a discussion about a modification of the novel food regulation is ongoing. Possibly, products which



Cañihua (*Chenopodium pallidicaule*): novel food not officially approved in the EU yet



Chia (*Salvia hispanica*): novel food approved with restrictions



Stevia (*Stevia rebaudiana*): novel food approved as innocuous



Noni (*Morinda citrifolia*): novel food approved in the EU in 2003

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have traditionally been used as food in other parts of the world, will in the future be excluded from the obligation of undergoing this approval process.

### 3. CERES' responsibility:

CERES responsibility as organic certifier in third countries (non-EU members) **is limited to verifying** and confirming through a certificate **compliance with “rules equivalent to Regulation EC 834/2007”**. Our certificates state “Note that this certificate only refers to the organic mode of production according to Art. 29(1) of Reg. (EC) 834/07, not to any other aspect of food quality.” We are **not responsible for compliance with other laws** or European or national regulations, not related to organic production rules.

We recommend our clients who produce, process or export products that might potentially belong to the novel food category, to verify the status of these products in the above-mentioned database and discuss the subject with their European customers and/or food authorities in the country of destination – possibly before deciding about organic certification of the respective products!