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Eurogroup for Animals' response to TRIS Notification 2024/0394/HU

Eurogroup for Animals welcomes the opportunity to submit comments on Hungary's notification of the draft law 'Draft act prohibiting the production and placing on the market of laboratory-grown meat'.

We wish to highlight the following key points:

Existing EU food safety legislation is adequate

Regulation (EU) 2015/2283 on Novel Foods provides a robust legal framework for evidence-based safety assessment and regulatory approval of all novel foods, including cultivated meat, to ensure they are safe to consume. The Regulation requires pre-market authorisation of cultivated meat and thorough safety assessment by EFSA. Cultivated meat will only be placed on the EU market if it is scientifically proven to be safe to consume.

The precautionary principle, invoked in the Hungarian draft law, is based on Art. 7 Regulation 178/2002 on the general principles and requirements of food law. Art. 7 applies when there is a risk, and measures for risk management should be temporary. As cultivated meat cannot be placed on the EU market before it has been proved safe for consumers, there is no risk for consumer safety. Moreover, EU food law establishes the consumers' right to information about food products. Once on the market, cultivated meat will be labelled according to Regulation (EU) No 1169/2011 relating to the provision of food information to consumers. Hence, the EU legal framework already in force assures a high level of consumer protection.

The draft law is a pretext to impose barriers on trade and fair competition

The draft law notified by the Hungarian authorities uses the precautionary principle pretextually. It disregards the existing regulatory framework for the safety assessment of novel foods seemingly to disadvantage cultivated meat innovators, entrepreneurs and enterprises on the Internal Market. The notified text actually imposes a trade barrier for cultivated meat enterprises to come to market by protecting certain types of national producers from fair competition.

The EU is home to dozens of independent enterprises that are pioneering the biotechnology of cellular agriculture. It has the potential to become just as important to the green transition as renewable energy and electric vehicles are to the energy transition. Cultivated meat is a product of cellular agriculture that grows cells in bioreactors producing meat, seafood and eggs, directly from animal cells. Cultivated meat has a substantially lower environmental footprint. Because it requires less land and less nitrogen and air pollution it is a sustainable alternative to all conventional meats¹, but its other properties are identical to conventionally produced meat. Therefore the draft law differentiates between products that are inherently competitive.

Moreover, by banning both the production and placing on the Hungarian market of cultivated meat the draft law closes farmers and other businesses and entrepreneurs off from business development and trade opportunities.

The EU principle of proportionality requires legal measures to be suitable, necessary and not excessive. Given that an adequate EU legal framework for food safety assessment already exists, the draft law notified by the Hungarian government is not coherent with the proportionality principle that can justify the measure of a legal ban and its distorting consequences on the Internal Market.

¹ Sinke, P. et al. 2023. Ex-ante life cycle assessment of commercial-scale cultivated meat production in 2030. *The International Journal of Life Cycle Assessment*, 28:234–254. <https://doi.org/10.1007/s11367-022-02128-8>