

**Decree No 2023-XXX of XX XX 2023 on the use of certain names used to designate foodstuffs containing plant proteins**

The Prime Minister,

On the report of the Minister for the Economy, Finance and the Industrial and Digital Sovereignty;

Having regard to Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, and in particular Article 38 thereof;

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services;

Having regard to the Consumer Code, in particular Article L. 412-10 thereof;

Having regard to notification No 2023/XXX/X of XX XX 2023 addressed to the European Commission and the latter's reply dated XX;

**Hereby decrees:**

**Article 1**

The provisions of this Decree shall apply to foodstuffs containing plant proteins.

In the context of this Decree, the following definitions apply:

- (1) “plant proteins”: proteins produced by or deriving from organisms belonging to all kingdoms other than the animal kingdom;
- (2) “foodstuffs of animal origin”: products of animal origin and foodstuffs derived from them;
- (3) “legal name”: name of a foodstuff prescribed by the legislative or regulatory provisions applicable to it;
- (4) “processing”: any action that substantially alters the initial product, including heating, smoking, curing, maturing, drying, marinating, extraction, extrusion, or a combination of those processes;
- (5) “processed products”: foodstuffs resulting from the processing of unprocessed products. These products may contain substances which are necessary for their manufacture or to confer specific characteristics on them;

(6) “ingredient”: any substance or product, including flavourings, food additives and food enzymes, or any constituent of a compound ingredient, used in the manufacture or preparation of a foodstuff and still present in the finished product, possibly in modified form; residues are not considered as ingredients.

## **Article 2**

Subject to the provisions of Articles 3 and 4, it shall be prohibited to use, for the purpose of describing, marketing or promoting a processed product containing plant proteins, the following:

1. A legal name for which no addition of plant protein is provided for by the rules defining the composition of the foodstuff concerned;
2. A name referring to the names of animal species or groups of species or to animal morphology or anatomy;
3. A name containing the terms listed in Annex I.

## **Article 3**

The name of a foodstuff of animal origin may be used:

1. For foodstuffs of animal origin containing plant proteins in a specified proportion where such presence is provided for by regulation, or in the list set out in Annex II to this Decree;
2. To designate flavourings or food ingredients with flavouring properties used in foodstuffs.

## **Article 4**

The names mentioned in Article 2 may be used in the descriptive names of combinations of foodstuffs of animal origin with other types of foodstuffs which do not replace those foodstuffs of animal origin but are added in addition to them in the context of such combinations.

## **Article 5**

Products lawfully manufactured or marketed in another Member State of the European Union or in a third country shall not be subject to the requirements of this Decree.

## **Article 6**

It is prohibited to hold for sale or distribution free of charge, to offer for sale, sell or distribute free of charge foodstuffs which do not comply with the rules laid down in this Decree.

### **Article 7**

Failure to comply with the provisions of Article 6 of this Decree may result in an administrative fine not exceeding EUR 1 500 for a natural person and EUR 7 500 for a legal person.

That fine shall be imposed in accordance with Chapter II of Title II of Book V of the Consumer Code.

### **Article 8**

The provisions of this Decree shall enter into force on the first day of the third month following its publication.

Foodstuffs manufactured or labelled before the first day of the third month following the publication of this Decree and which comply with the regulations in force on that date may be marketed until stocks are exhausted, and in any case not later than one year from the publication of this Decree.

### **Article 9**

Decree No 2022-947 of 29 June 2022 on the use of certain names used to designate foodstuffs containing plant proteins is repealed.

### **Article 10**

The Minister for the Economy, Finance and Industrial and Digital Sovereignty and the Minister for Agriculture and Food Sovereignty are responsible, each one insofar as it concerns their area, for the implementation of this Decree, which will be published in the Official Journal of the French Republic.

**Annex I: terms whose use is prohibited for the name of foodstuffs containing plant proteins**

- Fillet
- Striploin
- Rump
- Rib steak
- Beef cut
- Sirloin
- Hanger steak
- Thin skirt
- Beef steak
- Chuck
- Chuck steak
- Thin flank
- Steak
- Escalope
- Flank
- Grilled
- Loin
- Spare ribs
- Ham
- Butcher
- Meat product maker

**Annex II: terms authorised to describe foodstuffs of animal origin which may contain plant proteins and the maximum share of plant proteins which may be contained in the foodstuffs for which such terms are used**

<i>Term or name</i>	<i>Maximum plant protein content (expressed as dry matter)</i>
Andouille	1.00%*
Andouillette	1.00%*
Bacon	0.50%*
Ballotine	1.00%*
White (poultry*)	3.00%
Boudin	1.00%*
Cervelat	2.00%
Sausage mixture	0.5 0%*
Poultry sausage mixture (****)	2.00%
Chipolata	1.00%*
Chorizo	1.00%*
Poultry chorizo (****)	1.5%
Confit/Liver confit (excluding poultry)	0.50%*
Coppa	0.50%*
Cordon bleu	3.50%
Corned beef	1.00%*
Cooked pork rib	1.00%
Crépinette	1.00%*
Poultry crépinette (****)	2.00%
Cooked pork shoulder	0.50%*
Cooked shoulder	0.50%*
Medium-salted shoulder	0.50%*
Dry shoulder	0.50%*
(Poultry) escalope	1.00%*
Viennese (poultry species) escalope	1.00%
Cooked fillet	1.00%
Cooked fillet mignon	0.50%*
Dry fillet mignon	0.50%*
Smoked fillet mignon	0.50%*

<i>Term or name</i>	<i>Maximum plant protein content (expressed as dry matter)</i>
Fuseau	1.00%*
Galantine	5.00%
Gigolette	1.50%
Gigot	1.50%
Cooked ham	0.50%*
Raw ham	0.50%*
Dry ham	0.50%*
Reims ham	1.00%
Burgundy ham	1.00%
Marbled ham	1.00%
Poultry ham (****)	3.00%
Knuckle	1.00%*
Cooked shank	1.00%*
Knack	3.00%**
Poultry knack (****)	2.00%
Fatty bacon	1.00%*
Ham bacon	1.00%
Country bacon	1.00%
Lardons	0.50%*
Poultry lardons (****)	1.50%
Longaniza	3.00%*
Lonzo	0.50%*
Merguès/Merguez	2.00%*
Poultry cut pieces (****)	5.00%*
Mortadella	4.00%
Shoulder	0.50%
Topside	0.50%
Nuggets (+poultry species)	3.50%*
Short-cut leg	1.00%
Medium-salted short-cut leg	0.50%*

<i>Term or name</i>	<i>Maximum plant protein content (expressed as dry matter)</i>
Short-cut leg à la diable	3.00%
Pancetta	1.00%
Pastrami	1.00%*
Pâté	5.00%
Paupiette:	
- of (+ species) (excluding poultry)	6.00%
- more than (+ species)	3.00%
- traditional	0.50%*
- poultry (****)	2.00%
Salted pork	0.50%*
Medium-salted short ribs	0.50%*
Cooked breast	0.50%*
Smoked breast	0.50%*
Dry breast	0.50%*
Rillettes	1.00%*
Rosette	1.00%*
Cooked roast	0.50%*
Salted roast	0.50%*
Salami	1.00%
Sausage	3.00%
Cooking sausage	0.50%* (1)
Fried sausage	0.50%* (1)
Grilled sausage	0.50%* (1)
Alsace smoked sausage	0.50%*
Lorraine sausage	0.50%*
Toulouse sausage	0.50%*
Dry sausage	1.00%*
Cocktail sausage	3.00%** (2)
Cooked sausage	3.00%** (2)

<i>Term or name</i>	<i>Maximum plant protein content (expressed as dry matter)</i>
Alsace sausage	3.00%**
Alsatian sausage	3.00%**
Lyon sausage	3.00%**
Vienna sausage	3.00%**
Frankfurter	3.00%**
Strasbourg sausage	3.00%**
Poultry sausage (****)	2.00%
Saucisson	5.00%
Cooking saucisson	0.50%* (1)
Fried saucisson	0.50%* (1)
Grilled saucisson	0.50%* (1)
Dry saucisson	1.00%*
Lyon saucisson	1.00%*
Brioche saucisson	3.00%** (2)
Cooked poultry saucisson (****)	2.00%
Dry poultry saucisson (****)	3.00%
Country terrine	5.00%
Breton terrine	5.00%
Ardennes terrine	5.00%
Liver terrine	5.00%
Ham terrine	5.00%
Jura terrine	5.00%
Grandmother-style terrine	5.00%
X Terrine (X is the name of a species)	5.00%
X Terrine (X is the name of a species)	5.00%
(Poultry) tournedos (****)	1.00%*
Ventrèche	0.50%*



<b><i>Term or name</i></b>	<b><i>Maximum plant protein content (expressed as dry matter)</i></b>
Marinated (+ species) meat	2.00%
Name of offal (+ species) marinated	2.00%
Viennese poultry (****)	3.50%
Liquid whole egg/dried whole egg	0.10%
Liquid egg yolk/dried egg yolk	
Liquid egg white/dried egg white	
Omelette	

\* Plant protein content derived only from the condiments and flavourings contained in the product.

\*\* Of which 1 % may be derived only from the condiments and flavourings contained in the product.

\*\*\* Of which 1.5 % may be derived only from the condiments and flavourings contained in the product.

\*\*\*\* “Poultry” means poultry and all species of poultry (turkey, chicken, duck, guinea fowl, quail, pigeon.)

(1) An additional 2 % of plant protein is allowed to be added for products incorporated into a canned dish.

(2) The addition of plant protein up to an overall limit of 7 % (excluding proteins from condiments and flavourings) is allowed for products incorporated in a canned dish.

Done on  
Élisabeth Borne  
For the Prime Minister:

The Minister for Economy, Finance and Industrial and Digital Sovereignty,  
Bruno Le Maire

The Minister for Agriculture and Food Sovereignty,  
Marc Fesneau