Message 103

Communication from the Commission - TRIS/(2024) 2843

Directive (EU) 2015/1535

Notification: 2024/0394/HU

Forwarding of the observations of a Member State (Sweden) (article 5, paragraph 2, of Directive (EU) 2015/1535). These observations do not have the effect of extending the standstill period.

MSG: 20242843.EN

1. MSG 103 IND 2024 0394 HU EN 13-01-2025 17-10-2024 SE COMMS 5.2 13-01-2025

2. Sweden

3A. Kommerskollegium

3B. Utrikesdepartementet

4. 2024/0394/HU - C50A - Foodstuffs

5. article 5, paragraph 2, of Directive (EU) 2015/1535

6. Sweden would first like to reiterate the importance of following and complying with the existing processes for authorising and placing novel food products on the single market. Hungary acting in contravention of those processes is a serious issue.

Hungary justifies the proposal as, inter alia, necessary to protect domestic food production. However, the Treaties do not provide any legal basis to restrict free movement in order to protect domestic production.

Hungary also justified its proposal on grounds that the ban is necessary to protect, inter alia, human health. Reasons such as this are also unacceptable. The EU regulatory frameworks already impose strict requirements on, inter alia, food safety. Novel foods need to be authorised in accordance with specific procedures in Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001, before they can be placed on the market.

Hungary has neither presented an evaluation of the risks posed by laboratory-grown meat nor otherwise demonstrated that such products may pose risks to, for example, human health or the environment.

Furthermore, Hungary’s proposal lacks a proportionality assessment that weighs the effectiveness and necessity of the proposal against its potential trade barrier impact. Against this background, Sweden deems the Hungarian proposal to be in contravention of the Treaty provisions on the free movement of goods.

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