

GFI Europe observations on TRIS notification 2024/0394/HU - ‘Draft act prohibiting the production and placing on the market of laboratory-grown meat’

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GFI Europe welcomes the opportunity to submit a contribution regarding the notification of the ‘Draft act prohibiting the production and placing on the market of laboratory-grown meat’ from the Hungarian government via the TRIS process.

We are concerned by the threat that the draft law poses; both with regards to the coherent functioning of the EU Single Market and the applicability of the EU food safety legislation, as well as for EU and Hungarian competitiveness and consumer freedoms.

Establishing Hungary and the European Union at the forefront of the protein transition will help to make our food system more resilient and sustainable. Cultivated meat could help to diversify our protein supply, and in doing so boost food security while driving green economic growth and reducing climate impacts. Peer-reviewed research suggests cultivated meat could require up to [90% less land](#) than conventional beef, which means it could help enable [21% of European domestic farmland](#) to be used to boost domestic food production. Protein diversification can drive green growth and create highly skilled jobs. Europe is well-placed to reap these economic benefits, which – [with significant public investment](#) – could add over €900 billion to the global economy and create 10 million jobs by 2050. Cultivated meat could [cut the climate impact of meat](#) by up to 92%, reduce air pollution by up to 94%, and use up to 90% less land.

The following note sets out a series of challenges associated with the draft Hungarian law.

1. The draft law would substantively impact of the functioning of the EU single market and could result in trade distortions

As the General Food Law ([Regulation \(EC\) No 178/2002](#)) states, the free movement of food goods within the EU can be achieved “...*only where food safety requirements do not differ significantly from Member State to Member State.*” The free movement of goods is a cornerstone of the EU single market, and is [recognised](#) by the Commission as being “*Key to the success of the EU’s green and digital transitions, at the heart of the EU’s new industrial strategy [and] a driver of EU competitiveness, growth and recovery.*”

By seeking to unilaterally ban a product which may (in the future) be authorised for sale in other Member States, the Hungarian draft law will directly undermine the free movement of goods in the EU. The law will lead to distortions in the single market which negatively impact trade and the competitiveness of both Hungary and the EU, while also affecting companies and consumers. In cases where the actions of an EU member state undermine the EU single market the European Commission can launch infringement proceedings, with measures including fines and restrictions on the distribution of national funding from EU programmes.

2. The European Union has already established regulatory frameworks for the premarket approval of cultivated meat which products are currently undergoing

The draft Hungarian law undermines the EU's established regulatory frameworks for novel food products. The Novel Foods Regulation ([Regulation \(EU\) 2015/2283](#)) explicitly applies to “*food consisting of, isolated from or produced from cell culture or tissue culture derived from animals*”. The European Food Safety Authority (EFSA) has been explicit in [stating](#) that the Novel Food Regulation and associated guidance are fit for purpose in the context of cultivated meat products. The TRIS notification associated with the draft Hungarian law states that,

“It is not clear how the safety of cell-based technology can be guaranteed in order to avoid potential health risks for consumers.”

However, it is clear that in fact the only way that the safety of cultivated meat products can be properly scrutinised is through the EU's world leading regulatory framework for novel foods. As the European Commission [notes](#), the EU has one of the highest food safety standards in the world. Food safety is guaranteed through regulatory measures across the entire food chain and the Novel Food Regulation is an integral part of this, providing a thorough and evidence-based evaluation process for new products. In addition to this, the scientific expertise within EFSA has [consistently been found](#) to deliver high quality scientific advice, and [retains](#) a high level of trust amongst stakeholders and the public.

The draft Hungarian law is therefore unnecessary, and risks undermining the world leading expertise that regulators at EFSA could provide to the debate around cultivated meat safety.

3. The draft law appears to violate the EU principles of proportionality and necessity

The TRIS notification which accompanies the Hungarian draft law states “...*the adverse effects that can be presumed in advance are such as to justify a ban on the production and placing on the market of laboratory-grown meat.*” In doing so, the law invokes the [precautionary principle](#), which aims to balance the freedom of individuals with the need to reduce the risk of adverse effects to human health.

However, as the European Commission notes in its [Communication on the precautionary principle](#), “*Recourse to the precautionary principle presupposes that potentially dangerous effects have been identified...[it] should start with a scientific evaluation, as complete as possible.*” The draft Hungarian law provides no evidence at all to support claims around the adverse effects of cultivated meat which could be described as ‘dangerous’, and in doing so provides no justification for the implementation of an outright ban. The “scientific evaluation” called for in the Commission’s Communication is also absent from the Hungarian ban, and it seems logical that the most appropriate scientific evaluation would in fact be the assessment conducted by scientific experts at EFSA as part of the premarket authorisation process.

Crucially, the draft law also fails to consider the substantial research on food safety already conducted on cultivated meat from a variety of different sources. The approvals of cultivated meat products in Singapore and the two [approvals](#) in the US have provided a wealth of rigorously interrogated information about the safety of the assessed cultivated meat products. Indeed, as the US Food and Drug Administration's [scientific memo](#) states in response to the submission of a cultivated chicken dossier, "*In summary, we did not identify any properties of the cells as described that would render them different from other animal cells with respect to safety for food use.*"

Internationally recognised organisations such as the United Nations Environment Programme's [report](#) and a [report](#) from the United Nations Food and Agriculture Organization have been consistent in their interpretation of the food safety risks of cultivated meat. Indeed, the FAO states when evaluating potential food safety hazards associated with cultivated meat, that many "*are already well known and existing equally as well in conventionally produced food.*" This analysis suggests the Hungarian ban is neither proportionate nor necessary to protect consumer health.

4. Consumer surveys in the EU show that the public want to be able to choose for themselves whether or not to eat cultivated meat

By banning a novel food production method before EU food safety experts have the opportunity to assess its safety, the Hungarian government is undermining the principles of consumer choice and ability to exercise consumer freedom that the EU public expects and demands and which are enshrined in the [New Consumer Agenda](#) adopted in 2020.

[Surveys](#) conducted by YouGov of more than 16,000 people across 15 European countries found that a majority of consumers in almost all countries believe cultivated meat should be approved for sale if food regulators find it to be safe and nutritious. Indeed, a majority of respondents agreed with this approach in Hungary, even as their government introduces draft legislation which attempts to ban it. These findings undermine the rationale behind the Hungarian ban, and underscore the point that consumers rather than politicians should decide what they want to eat - a position shared by [several European governments](#) in recent discussions on the role of novel foods such as cultivated meat in the future EU food system.

In addition to this, the Novel Food authorisation process already includes a public consultation stage regarding the authorisation of new products at the conclusion of the risk assessment process. The consultation - available on OpenEFSA - encourages feedback on scientific data and studies that should be considered by EFSA during risk assessment, and provides consumers and other stakeholder groups with the opportunity to directly contribute to the authorisation process. In fact, by preemptively banning cultivated meat before a product has received a safety assessment in the EU and been socialised with Hungarian and EU consumers, the Hungarian law is actively undermining consumer choice and freedom rather than protecting it.

5. EU Member States will have a role in decision making on approvals for novel food products that goes beyond food safety

During the risk management stage of novel food approvals, the European Commission along with the 27 representatives of each EU Member States are brought together via the Standing Committee on Plants, Animals, Food and Feed (PAFF). PAFF Committee decision making is via qualified majority voting, providing Member States with substantial input into authorisation decisions for new products. This appears to undermine the arguments for a pre-emptive national level ban, as the Hungarian government will already have opportunities to contribute to prospective approvals during the EU authorisation process.

In addition, the TRIS notification associated with the draft Hungarian law states that “*the protection of human health and the environment, the sustainable production of agriculture and the preservation of the traditional rural way of life justify the introduction of regulation.*” However, the Novel Food authorisation process already enables debate on considerations beyond food safety. During risk management, the PAFF Committee considers product approvals in a holistic context. As the General Food Law states:

Risk assessment alone cannot, in some cases, provide all the information on which a risk management decision should be based, and that other factors relevant to the matter under consideration should legitimately be taken into account including societal, economic, traditional, ethical and environmental factors and the feasibility of controls

As such, Member States can legitimately raise considerations around the wider context of approval decisions within the existing framework. The draft law is therefore unnecessary as a mechanism for ensuring protecting the rural way of life and sustainable agriculture in Hungary.

6. The Hungarian law does not consider the opportunities for synergies that exist between the cultivated meat sector and conventional rural economies

While still at an early stage of its development, there is no reason why a future cultivated meat ecosystem in the EU cannot be complementary to the rural economy and regenerative agricultural practices that we see today. [Research](#) looking at 10 European countries suggests that a higher uptake of alternative proteins like cultivated meat would give European farmers the space to farm more extensively and grow more food at home rather than shipping it in from other countries, boosting domestic food production and local supply chains.

Cultivated meat could offer farmers opportunities to diversify their value chain by producing ingredients for cell feed or providing the high quality animal cells needed to start the production process. By putting the right policies, incentives and structures in place, governments can [help](#) to bring farmers along as part of this transition. Existing research, including a [report](#) from the Royal Agricultural University in the UK, provides an excellent starting point for understanding how farmers perceive the cultivated meat sector, and the opportunities that they see to contribute to and benefit from the technology.