

THE GOOD FOOD INSTITUTE EUROPE

OBSERVATIONS on TRIS notification 2023/0469/IT

Italy's Draft Law on "Provisions on the prohibition of the production and marketing of food and feed consisting of, isolated from or produced from cell cultures or tissues derived from vertebrate animals and on the prohibition of the designation as meat"

Brussels, 9 October 2023

The Good Food Institute Europe has grave concerns about the proposed law and calls on the European Commission and Member States to object to the Italian draft law that introduces a ban on the production and sale of cultivated meat on Italian territory, alongside prohibiting denominations associated with meat for plant-based meat products.

If approved, the draft law would lead to distortions and unfair competition within the EU single market, infringe upon the interests of Italian consumers, and hinder some crucial opportunities for sustainable development and for the achievement of the international community's common goals concerning the protection of the environment, food security and the safeguarding of human health.

The Good Food Institute Europe welcomes the opportunity to share its observations with the European Commission and the distinguished members of the Council of the European Union, in relation to the Italian draft law that introduces a ban on the production and sale of cultivated meat on the Italian territory, alongside prohibiting denominations associated with meat for plant-based meat products.

According to current projections, [global meat consumption will increase by 52 percent by 2050](#), therefore, it is vital that states encourage the alternative protein sector in order to allow people to continue to consume the food they like while avoiding irreparable climate damage. Indeed, [recent studies](#) have shown that, despite the possible success of measures in other policy areas, conventional animal agriculture, currently responsible for 20 percent of global climate emissions, would continue to be an insurmountable obstacle to achieving climate targets. Plant-based meat has the potential to [reduce meat market emissions by up to 98 percent](#), while cultivated meat could [cut the climate impact](#)

[of beef by 92 percent, and reduce land use by 90 percent](#), thus contributing to other important sustainable development goals.

Plant-based and cultivated meat are also crucial for the protection of public health, as they avoid the public health risks associated with animal agriculture. First of all, they are free of antibiotics, so they can help to prevent dangerous [antibiotic resistance](#), which, [as reported by AIFA](#), in Italy remains among the highest in Europe, with a worsening trend. In addition, alternative proteins are free of bacteria such as salmonella and escherichia coli, or other pathogens responsible for foodborne illnesses

In light of the above and in order to inform the assessment of the draft law, we submit the following observations:

- 1) **The draft law would lead to market distortions and hinder fair competition among EU companies** that promote substitute products (following the notion of “equivalence”). The restrictions outlined in this draft law would result in such distortions and would differentiate between substitutable products, which are inherently competitive, potentially eroding fair competition among entrepreneurs operating in both the Italian and broader EU markets. The definition of these food products, designed to substitute or offer alternatives to animal-based products, aligns with the standards established by the World Trade Organization (WTO) when identifying competitive products known as “like products,” as determined by European consumers.
- 2) **The EU has established regulatory frameworks for the authorisation of novel foods and the labeling of 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. During the recent revision of the Common Organisation of the Market (CMO) Regulation, the [EU chose not to modify it](#) and to continue to allow the use of meat terminology for plant-based products. Following legislation by the French government, [this issue has recently been referred to the Court of Justice of the European Union](#), potentially leading to the prohibition of national legal variations within a year.
- 3) The precautionary principle invoked to justify draft law is partially misapplied. **In EU law, there is no indication of applying the precautionary principle to safeguard cultural heritage.** It is exclusively relevant to matters concerning public health. As for applying the precautionary principle to protect public health, the draft law does not meet the proportionality requirement, as existing EU legislation, such as the General Food Law and the Novel Foods Regulation, sufficiently provides these protections.
- 4) **The draft law departs from the EU Green Deal and the EU Farm to Fork Strategy.** The latter, in particular, identifies alternative proteins as an important area of intervention and investment because of the key role they play in relation to reaching the climate targets and highlights the need to reduce dependency on antimicrobials.
- 5) Italy would put its companies at a **severe competitive disadvantage against other major world and European economies**, which are already investing in the alternative protein sector, benefiting from the [opportunities for economic growth and sustainable development that it offers](#). The bans, in fact, even before their approval, are already generating significant **damage to**

businesses and the sector's labor market. [Investors are abandoning the negotiating tables](#) and with the continuation of the radically restrictive policy line, Italy would definitely have generated a high risk factor for economic initiative, losing the ability to attract capital for the development of companies and the sector's Made in Italy. Currently, there are several Italian companies operating in the sustainable protein market, contributing to the development of local economies, including in the South of Italy, and bringing to the sector those contributions of excellence that are distinctive of Made in Italy and Italian small and medium-sized enterprises. According to a [recent study](#), plant-based foods in Italy represent a 680.9 million euro market.

- 6) The restrictions will produce an increase **in the so-called brain drain**, contributing to the steady worsening [trend](#). Professionals with high-level skills, including biologists, engineers and chemists, interested in training or pursuing careers in the attractive cultivated meat industry will be forced to move abroad. In addition, [research will inevitably be affected as](#) already reported by researchers and academics. Indeed, in order to seek funding and market placement opportunities, researchers will also be pushed to move to those countries that are investing in alternative proteins, or even forced, where they have an interest to undertake their research in the private cultivated meat sector.
- 7) The proposed ban on cultivated meat would represent a **lack of protection for the interests of Italian consumers.** [More than half of Italian consumers are already interested in trying cultivated meat](#). The impediment would be of particular gravity where the ban would remain after the European Union has issued its permits. Italian consumers, in fact, would find themselves in a situation of profound and unfair inequality compared to their fellow European citizens. Consumers' interests are also harmed in the case of restrictions on the nomenclature of plant protein products. Eliminating the possibility of using familiar terms to facilitate product recognition would undermine transparency, generating confusion where none currently exists, as [demonstrated by surveys](#).

As GFI Europe we therefore recommend the EU and its Member States to object to the adoption of the Italian draft law in its current form, making sure that any national regulation on alternative proteins is dedicated to the promotion of sustainable development and does not lead to any market distortions within the EU.

About GFI Europe

[The Good Food Institute Europe](#) is an international NGO helping to build a more sustainable, secure and just food system by transforming meat production.

We work with scientists, businesses and policymakers to advance plant-based and cultivated meat – making them delicious, affordable and accessible across Europe.

By making meat from plants and cultivating it from cells, we can reduce the environmental impact of our food system and feed more people with fewer resources.