



Posición de ANICE al proyecto de Decreto francés sobre el uso de determinadas denominaciones utilizadas para describir los alimentos que contienen proteínas vegetales

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Summary:

In recent years, the market for vegan and vegetarian products has experienced significant growth.

Some vegetarian and/or vegan products have an appearance similar to that of meat products and also use sales denominations specific to the meat sector, which misleads consumers as to the true nature and composition of these products, since vegan and vegetarian products have very different characteristics and nutritional values to those of meat origin. Furthermore, the improper use of these terms has a negative impact on the image of products from the meat livestock sector.

From the National Association of Meat Industries from Spain (ANICE), respecting all food choices, we categorically reject the misuse and usurpation of the sales denominations of meats and their derivatives.

For this reason, at ANICE we strongly support the French Decree project for the protection of sales denominations in the meat sector.

This will avoid misleading consumers, avoid possible health problems and protect the image and reputation of foods of animal origin against usurpation and unfair comparisons.

Introduction:

The National Association of Meat Industries from Spain (ANICE) is a business organization that represents the Spanish meat industry at a national and international level, bringing together more than 600 companies, in all autonomous communities.

All the leading companies in the sector are associated with ANICE, along with a large group of SMEs, which generate employment and economic activity in rural areas. The turnover of these companies amounts to 23.795 million euros, which represents 75% of the turnover of the Spanish meat industry (pork, beef, sheep and processed meats).

As indicated above, the market for vegan and vegetarian products has experienced notable growth in recent years. Some have an appearance similar to that of meat products and also use sales names specific to the meat sector, which misleads consumers about their true nature and composition, since vegan and vegetarian products have certain characteristics and nutritional values very different from those of meat origin. Furthermore, the improper use of these mentions negatively affects the image of the products in our sector.

Situation in Spain

In Spain, we have clear and precise regulations, which is Royal Decree 474/2014, which approves the quality standard for meat derivatives, which establishes that the sales names used for meat and its



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derivatives are reserved exclusively for those products that contain meat or another product of animal origin as the main ingredient.

Furthermore, this has been ratified by the Ministry of Agriculture, Fisheries and Food (MAPA), in which the Ministry itself and the competent authorities of the Autonomous Regions participate, which has already ruled on the improper use of sales designations for meat products.

[The agreement, approved on 26 October 2016](#), establishes the following:

- Products whose sales denomination is a legal denomination of those listed throughout the text of Royal Decree 474/2014, must have as an essential ingredient any of the following: meat, fat or fat, blood and its components and offal.
- Products whose sales name is a name established by usage or a customary name, included in Annex II, in addition to complying with the above condition, must respect the specific composition or processing conditions described for them.
- Consequently, products that do not respect the aforementioned minimum conditions may not use the sales designations (legal and consecrated or customary) included in Royal Decree 474/2014.

Situation in the European Union and other countries:

At EU level, unfortunately, there are no specific regulations governing the use of sales denominations for meat and meat products.

In view of this situation, some countries have already developed or are in the process of developing their own legislation with the aim of prohibiting the use of the livestock/meat sector's own designations on vegan/vegetarian products and, consequently, putting an end to commercial practices that may mislead consumers.

The most recent case is that of Italy, which on 16 November 2023 passed a law that, among other things, prohibits the use of sales names from the meat sector on products that do not contain meat.

In this way, Italy is taking a step forward to legally protect the sales designations of the livestock-meat sector, preventing the misuse and usurpation of the sales designations of meat and its derivatives in vegetarian and/or vegan products.

Another example is the case of Finland, where the National Food Administration of said country (Ruokaviraston) published in 2019 [a Guide titled "Food information guide for food industries"](#) which states that animal product names are reserved only for products of animal origin. It also states that terms such as "vegan bacon" or "vegan steak", among others, are prohibited.

It is worth mentioning that this debate has gone beyond the European Union, as other third countries are also calling for the protection of the livestock-meat sector's own sales designations.



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In the United States, for example, the National Cattlemen's Beef Association (NCBA) has also been calling for years for the word "meat" to be used only for products containing "the tissue or meat of animals that have been slaughtered in the traditional manner".

Missouri became the first state in the country to have a law prohibiting food manufacturers from using the word "meat" to refer to anything that does not contain raw materials of animal origin, expressly referring to laboratory-derived products and those that resemble meat derivatives but are made from plant-based raw materials.

To cite another example, the Chamber of Deputies of Chile ratified last July 2023 an article that regulates the categorization of the concept of meat, which prohibits cataloging under said name any edible product that is not of animal origin. In addition, the use of names of products of animal origin, such as hamburger or chorizo, is prohibited in products that have a greater proportion of products of plant origin than meat.

Situation in the dairy sector:

A situation analogous to what is happening in the livestock-meat sector also occurred in the dairy sector.

Until a few years ago, it was common to find products of non-animal origin on the market with designations specific to milk and dairy products, such as "oat milk" or "tofu cheese", among others.

This dispute led to the judgment in case C-422/16 of the Court of Justice of the European Union (CJEU) of 14 June 2017, which concluded that plant-based products cannot be marketed under designations such as "milk", "cream", "butter", "cheese" or "yoghurt", as these concepts are reserved by EU law for products of animal origin.

<https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-06/cp170063es.pdf>

Likewise, and in contrast to what happened in the meat sector, amendment 171 was approved for dairy products within the framework of the modification of the Common Agricultural Project, which expressly prohibits any reference to milk and dairy products in vegetable-based products.

Bearing in mind the legislative and judicial response given to the dairy sector for the protection of designations specific to products of animal origin, we believe that it is not consistent to give a different response to the livestock and meat sector. The reasons for the inadequacy of the designations for the former are perfectly applicable to the meat sector.

ANICE's position on the draft French Decree:

In our opinion, we believe that this draft Decree will ensure that consumers have access to truthful and transparent information on the origin and composition of products.

Vegetarian/vegan products that have a similar appearance to meat products, and also use sales designations specific to the meat sector, may mislead the consumer.



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Interestingly, even when consumers understand that these products are imitations, it can be implied that the original foods and their substitutes have equivalent nutritional value, meaning that they are perfectly interchangeable in their diet.

In fact, despite a wealth of scientific evidence to the contrary, [one in two French consumers believe that plant-based drinks provide the same nutrients as milk and one in three believe that plant-based drinks are suitable for babies, which may have health consequences](#). Although these figures are not representative at EU level, they underline the fundamental confusion consumers experience about the nutritional properties and role of animal products in their diet.

Moreover, we understand that the French draft legislation will address health concerns related to the consumption of products of plant origin that mimic those of animal origin.

Meat and its products are rich in proteins of high biological value, vitamins and mineral elements (iron, zinc, etc.). It is these nutritional properties that imitation plant-based products try to imitate. According to the [FAO 2023 report](#), evidence suggests that these products cannot replace foods of animal origin in terms of nutritional composition, are deficient in some essential nutrients and are high in saturated fat, sodium and sugar.

By presenting themselves as an alternative to products of animal origin, they mislead consumers, making them believe that the nutritional value is identical and, therefore, substitutable. This misinformation can have adverse effects (in the best of cases, cause dietary deficiencies).

Finally, we believe that this French Decree will protect our culinary heritage, as well as the reputation of products of animal origin.

Conclusion:

Of course, there is a market for all types of products and they can all coexist. However, it goes without saying that they must have their own name and be transparent about their composition and origin.

For example, margarine is not butter, chicory is not coffee or horchata is not milk. However, this does not prevent them from coexisting and each one has its place in people's diets.

Plant-based imitation products and animal origin foods should thus be recognised as entirely different products as regards their respective denominations, composition, and form. Furthermore, rules should be established to prevent the marketing of those products as substitutes.

For this reason, at ANICE, respecting all food options, we categorically reject the misuse and usurpation of the sales names of meat and its derivatives.



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