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food research

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Updates on European Regulatory Landscape

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Environmental sustainability



Deforestation Regulation (EUDR)

Driver

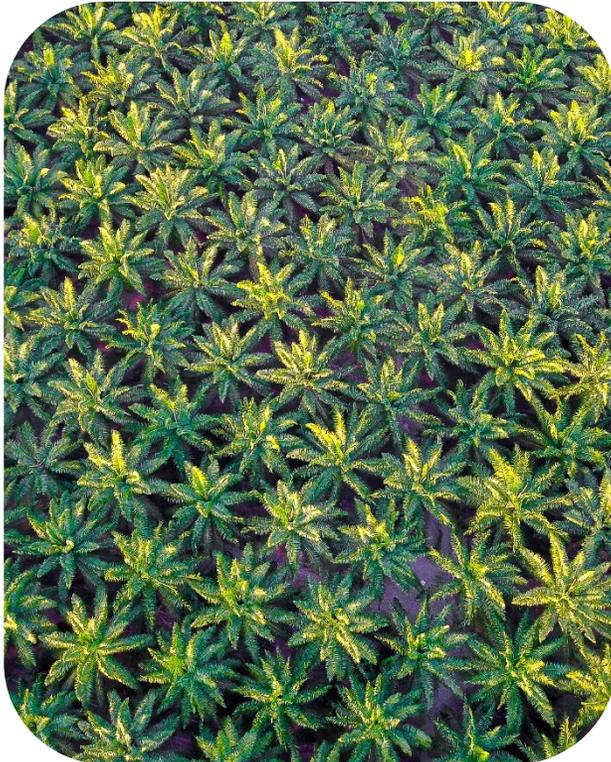
Environmental sustainability

Maturity

Established

Product categories

Timber, rubber, soy, palm oil, coffee, cocoa and cattle



The story

- The EUDR establishes rules to guarantee that the products EU citizens consume do not contribute to deforestation or forest degradation worldwide
- The EUDR legislation entered into force on June 29, 2023 and was initially scheduled to become applicable on December 30, 2024. However, shortly before it was due to take effect, the EU Parliament and the Council agreed to the Commission's proposal to delay its application by one year to give companies and authorities more time to better prepare for its implementation
- The Regulation will therefore be binding from **December 30, 2025** for large operators whilst small companies will have to apply it as of June 30, 2026

Regulations

- [Regulation \(EU\) 2023/1115 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation](#)

Deforestation Regulation (EUDR)

Only commodities listed in Annex I of the Regulation are in scope. EUDR affects seven commodities – cocoa, coffee, soy, palm oil, wood, rubber, and cattle – as well as select products derived from these goods.

Products not listed in Annex I are not subject to the Regulation, even if they contain commodities listed in Annex I.

For example, soap will not be covered by the Regulation, even if it contains palm oil.

Note also that packaging material used to support, protect or carry another product placed on the market is not relevant within the meaning of Annex I, regardless of the CN code under which it falls.

Commodities and products covered by the Regulation may not be marketed or exported in or from the EU, unless all the following conditions are fulfilled:

- They are deforestation-free
- They have been produced in accordance with the relevant legislation of the country of production
- They are covered by a due diligence statement

Companies can submit their due diligence statement in the EU's information system.

In April 2025, the Commission published an updated [Guidance Document](#) (37 pages) and [the fourth version of FAQs](#) (81 pages) on EUDR.

Sourcing risk tiers

The EU benchmarking system classifies countries according to the level of risk of producing commodities covered by the scope of EUDR that are not deforestation-free.

Low risk countries will benefit from a simplified due diligence process.

Low risk
UK, EU Member States, US, China, Japan and Australia

Medium Risk
Brazil, Colombia, Côte d'Ivoire, Indonesia, Malaysia and Mexico

High Risk
Myanmar, North Korea and Russia

Environmental claims & greenwashing

Driver

Environmental sustainability

Maturity

Established

Product categories

All



The story

- The Commission proposed the Green Claims Directive (GCD) in March 2023 to protect consumers from misleading environmental marketing practices
- It would combat greenwashing by establishing minimum criteria (i.e. on substantiation, communication, and verification) that companies must meet when making claims
- It would work alongside the Empowering Consumers for the Green Transition (“EmpCo Directive”) which entered into force March 26, 2024
- On June 20, 2025 the Commission announced that it intends to withdraw the proposal. The third trilogue, scheduled for June 23, 2025 was cancelled

Regulations

- [Directive \(EU\) 2024/825 as regards empowering consumers for the green transition through better protection against unfair practices and through better information](#)
- Member States must apply EmpCo by **September 27, 2026**

EmpCo recap

Environmental / sustainability claims

The following are prohibited under Empco

- Making 'generic environmental claims' unless you can demonstrate "recognised excellent environmental performance". For example – 'environmentally friendly', 'eco-friendly', 'green'
- The use of 'zero carbon' type claims that rely on offsetting
- Partial environmental claims that concern only a certain aspect of the product or a specific activity of the trader's business

The Directive also explain that businesses should not use claims such as 'conscious', 'sustainable' or 'responsible' as a reference to environmental credentials only, because they have a wider meaning.

Sustainability trust / quality marks

Sustainability marks and labels under EmpCo can only be used if they are based on a certification scheme or established by a public authority. This is intended to stop businesses creating their own sustainability labels.



Packaging



Bisphenol A (BPA) ban

Driver

Environmental sustainability

Maturity

Established

Product categories

Food contact materials



The story

- On December 19, 2024 the European Commission adopted a ban on the use of BPA in nearly all food contact materials
- BPA was already banned for use in infant feeding bottles
- BPA now banned in plastics, coatings, adhesives, inks, rubbers & other applications with just two limited exceptions*
- Various transitional arrangements are in place, the main one being that single and repeat-use final food contact articles complying with the old rules shall be allowed to be placed on the Union market until **July 20, 2026**

*Polysulfone filtration membranes used in filtration assemblies
Epoxy coatings in large vessels (>1000 litres)

Regulations

- [Commission Regulation \(EU\) 2024/3190 on the use of bisphenol A \(BPA\) and other bisphenols and bisphenol derivatives](#)

Labelling & claims



Proposed EU labelling terms for no/low-alcohol wine

Driver

Labelling & claims

Maturity

Emerging

Product categories

Wine



The story

In March 2025, a new EU proposal was tabled that will establish rules for the description of certain reduced-alcohol wines:

- “Alcohol-free” if the actual alcoholic strength of the product does not exceed 0.5% by volume
- “0.0%” if the actual alcoholic strength of the product does not exceed 0.05% by volume
- “Alcohol-light” if the actual alcoholic strength of the product is above 0.5% by volume and is at least 30% below the minimum actual alcoholic strength of the category before dealcoholisation

Regulations

- [Proposal for a Regulation amending Regulations \(EU\) No 1308/2013, \(EU\) 2021/2115 and \(EU\) No 251/2014 as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products](#)

EU Ombudsman review of probiotics

Driver

Labelling & claims

Maturity

Established

Product categories

Functional foods



The story

- The EU has long maintained a de facto ban on ‘contains probiotics’ claims which it believes are health claims
- Since the Commission has rejected all applications for the authorisation of health claims concerning probiotics, statements such as ‘contains probiotics’ are not authorised
- The International Probiotics Association complained to the EU Ombudsman that the Commissions’ position was wrong
- The Ombudsman provided their assessment in December 2024 and ruled in favour of the Commission, describing the Commissions’ position as reasonable and in line with the main goal of the legislation

Regulations

- [Decision on how the European Commission deals with the labelling of foodstuff that contain probiotics as ‘health claims’ \(case 2273/2023/MIK\) | Decision | European Ombudsman](#)

Kiwi fruit claim approved

Driver

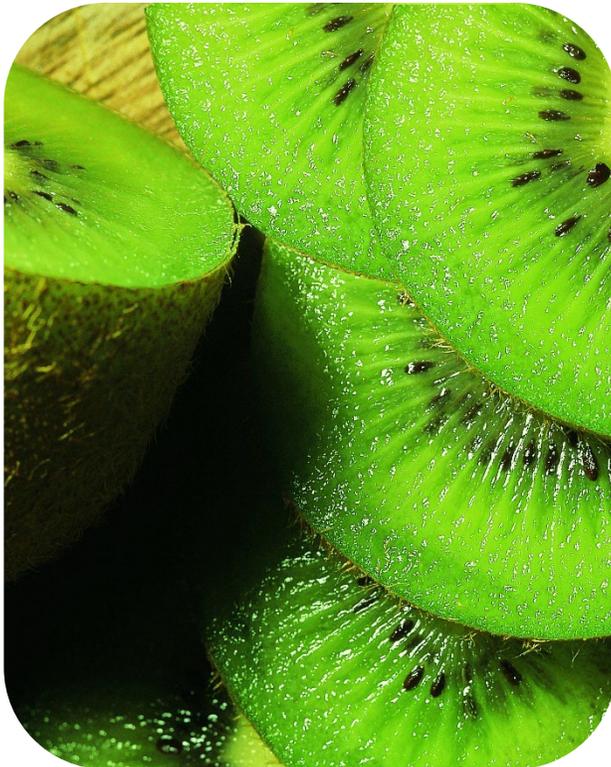
Labelling & claims

Maturity

Established

Product categories

Kiwi fruit



The story

- In July, the Commission authorised a new health claim for green kiwi fruit:

Consumption of green kiwi fruit contributes to normal bowel function by increasing stool frequency

- A claim application for help with body weight reduction (for Appethyl® a spinach extract) was rejected

Regulations

- [Commission Implementing Regulation \(EU\) 2025/1560 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health, and amending Regulation \(EU\) No 432/2012](#)

'On-hold' claims

Driver

Labelling & claims

Maturity

Evolving

Product categories

All



The story

- The 'on-hold' Register provides details of botanical claims in foods that have been documented but have not been authorised nor rejected. There are approximately 2,000 claims for botanicals substances that continue to be on hold since 2012 (not a typo)
- In April, the Court of Justice of the European Union (CJEU) delivered a judgment on the approach of the European Commission in relation to 'on-hold' health claims
- The judgment clarifies that 'on-hold' claims are not automatically permissible but are subject to the requirements of the NHCR – particularly the obligation for scientific substantiation and the avoidance of misleading information

Regulations

- [CJEU judgment in case C 386/23](#)

Novel food



New genomic techniques compromise

Driver

Processing technologies

Maturity

Evolving

Product categories

Fruits and vegetables



The story

- The European Union is progressing towards regulating New Genomic Techniques (NGTs), with member states approving a negotiating mandate on March 14, 2025
- The proposed Regulation creates two categories: NGT plants similar to conventionally bred ones would face less stringent rules, while those containing foreign DNA would follow existing GMO legislation
- Compromises have been made on the issue of patents and MS can request an opt-out from cultivation of NGT 2 plants on their territory
- Negotiations started on May 6

Regulations

- [Proposal for a Regulation on plants obtained by certain new genomic techniques and their food and feed](#)

Novel food guidance

Driver

Ingredients & compositions

Maturity

Established

Product categories

All



The story

- EFSA has updated the guidelines for applications for novel foods in the EU. This includes both scientific and administrative guidance that will apply to all new novel food applications from February 2025
- The administrative guidelines further refine the application process, while the scientific guidelines provide clearer data requirements and set higher standards for the scientific evidence and completeness of application dossiers
- The new guidelines clarify many grey areas & EFSA hopes requiring companies to submit more robust information will speed up the review process, as there will be fewer back-and-forth communications

Regulations

- [Novel and Traditional Food applications and notifications: regulations and guidance | EFSA](#)

Additives



Sweeteners

Driver

Ingredients & compositions

Maturity

Established

Product categories

All



The story

- A new 'Steviol glycosides from fermentation' (Rebaudioside M from fermentation produced by *Yarrowia lipolytica*) was approved for use in the EU in April adding to the raft of different steviol glycosides now approved
- The re-evaluation of acesulfame K by EFSA in April 2025 reaffirmed the safety of the sweetener and increased the Acceptable Daily Intake (ADI) from 9 mg/kg body weight to 15 mg/kg body weight per day
- Over the past 12 months EFSA has also completed re-evaluations for saccharin (also safe + an ADI increase) and neotame (safe + an ADI increase)
- Re-evaluations ongoing for a further 9 sweeteners including sucralose & salt of aspartame-acesulfame

Regulations

- [Commission Regulation \(EU\) 2025/652 as regards the use of Steviol glycosides produced by fermentation using *Yarrowia lipolytica*](#)

Questions?

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