

Recommendation

Courtesy Translation

for the use of plants, fungi or parts
from plants or fungi in food
supplements

Reference number of the file:

BMGF-75210/0010-II/B/13 from 5th August 2016

BMSGPK-2021-0.008.934-III/B/13 from 15th February.2021

Preamble

Food law does not specifically regulate the use of plants, fungi or parts from plants or fungi as food or food ingredient. In general, the food business operator has to ensure in due diligence that a food, which is placed on the market, complies with the general food regulations.

In Germany, the Competent Federal Government and the Federal State Authorities have created a list of substances, now in second edition in cooperation with experts from Germany, Austria and Switzerland, which can be used as an orientation guide for the use of plants and fungi as food or food ingredient.

This list of substances is neither legally binding nor exhaustive and is subject to updating in order to take into account new scientific insights and developments on the market, according to the explanations in the preface of the second edition.

A final assessment of food supplements, which contain plants, fungi or parts of plants or fungi always has to be made on a case-by-case basis, in which all relevant criteria are taken into account. These include amongst others the preparation and dosage, in which the substance is used. For example, extracts can show significant differences regarding the composition or the nutritional, pharmacological and toxicological properties depending on which extracting agent or which manufacturing method was used.

The Codex Alimentarius Subcommittee on food supplements has decided to take into account the current developments and to view this list of substances as an orientation guide for relevant trade circles, however, the classification as medicine outlined therein is of no legal relevance for Austria. This also applies to the classification of substances to certain food categories.

List of substances

The list of substances of the German Competent Federal Government and the Federal State Authorities in cooperation with experts from Germany, Austria and Switzerland, second edition (preface included) can be found under the following link:

<https://www.bvl.bund.de//stofflisten>