

REPORT – IPA Europe Regulatory webinar

‘Can a mutual solution be found for probiotics in Europe?’

7 April 2022

Good attendance and strong interest for the IPA Europe webinar “Can a mutual solution be found for probiotics in Europe? Legal analysis, dilemmas, solutions” on April 4th 2022. The webinar was focused on the uncertainty caused by the current regulatory situation in Europe for probiotic foods and food supplements, and on how policy makers can design coherent policies to address the triple challenge of better consumer information, a competitive and innovative European industry and legal certainty for this category of ingredients.

To introduce the context, **the IPA Europe President Esben Laulund indicated that the probiotic market in Europe currently amounts to over 10 Billion Euro, 1/3 of the global market for probiotic foods and food supplements.** He also reminded about the growing scientific attention for probiotics and their positive impact on health - including by the EU Science Hub Joint Research Centre and by grants of the European Commission for research.

Esben Laulund highlighted that the consumption of probiotics in food, beverages and food supplements continues to grow, as both consumers and the industry look for ‘microbiome-friendly’ foods: this is confirmed by a recent survey commissioned by IPA Europe in 8 countries, reaching out to over 8000 consumers. Among the outcomes of the survey are two important numbers: 56% (on average) of consumers indicate that they know what probiotics are, and 79% would you like to be informed on the products about the presence of ‘probiotic’. This gives a good perspective on the way probiotic foods and food supplements are perceived by consumers in Europe.

The use of the term ‘probiotic’ is currently a market practice in several European countries, and in this context the European Commission’s interpretation of 2007 that considers the use of the term ‘probiotic’ on the labelling as a health claim appears obsolete and does not reflect the reality of the scientific innovation and of the societal changes.

¹ IPA Europe is the European chapter of IPA, the International Probiotics Association; it was established in Brussels in 2015. The members of IPA Europe are Companies directly engaged in the manufacture of probiotic cultures or probiotic foods, supplements, nutritional or therapeutic products: BioGaia, Chr. Hansen, Danone, IFF, IPA, Lallemand, Lesaffre, Probi and Yakult. The IPA Europe mission is: to gain acceptance of the term “probiotic” throughout Europe as a defined category and to create a favourable environment for probiotics in Europe. For additional information on IPA Europe’s activities see: <http://ipaeurope.org>

The legal expert Katia Merten-Lentz indicated 3 concrete ‘legal avenues’ that could create a common, favorable legal environment for the use of the term ‘probiotic’ on label and communication in Europe. The European Commission could repeal the guidance of 2007, but the Commission’s reply in 2018, was that “there is no intention to take action on this specific matter”. Katia also reminded that, more generally, the term ‘probiotic’ should be covered by Regulation 1169/2011 on consumer information, which indicate as mandatory to inform the consumer with the descriptive name of the food.

The practicable option, to give a legal certainty to the industry, will be to classify probiotics as “other substances” within the Regulation 1924/2006 on nutrition and health claims, which implies the change of the annex of the Regulation to include ‘contain probiotics’. IPA Europe also refers to this approach in the recent [joint position published in March 2022 together with the European Dairy Association \(EDA\)](#).

Whatever the solution will be, the legal expert was clear about the need to endorse a legal interpretation towards a harmonized use of the term ‘probiotic’ for food and food supplements in Europe. To do this, a political request by Member States authorities at the level of the Council and of the European Parliament will be key.

During the Q&A conducted by Karen Vokes, Chair of the Regulatory Committee of IPA Europe, the experts answered live the questions raised by the participants about several aspects related to probiotic definition and other terms, including the interest for prebiotic products, the need for harmonization of the use of the term across Europe and across food categories, and about the ongoing advocacy efforts to support a good understanding of the term probiotic.

Esben Laulund concluded that “in making clarity on ‘what probiotic is’, the probiotics industry will meet the request of consumers of clear labels, and can contribute to the objectives of the European Farm to Fork strategy and to the better functioning of the European Market”.

IPA Europe wishes to thank all the participants for the valid exchanges during the webinar and all the people who expressed their interest. If you have missed the webinar you can watch the recording on our [YouTube channel](#).

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