



TOFUTOWN

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EUROPEAN COURT TO RULE ON “VEGGIE CHEESE” & CO. – ARE PLANT-BASED PRODUCTS ALLOWED TO BE CALLED “CHEESE”?

TOFUTOWN, the maker of vegetarian organic foods, represented by the law office Kanzlei WILDE BEUGER SOLMECKE, has been sued for calling its plant-based products “Veggie Cheese” or “Tofu Butter”. The reason? An EU Regulation stating that only animal products may be called “milk,” “cheese”, “butter”, etc.. The question the European Court of Justice (ECJ) has to decide on is whether this also applies when a product’s labelling clearly states that it is a plant-based alternative to cheese, milk or butter. By allowing such labelling, the ECJ would decide in favour of a more environmentally friendly and ecological implementation of the Regulation.

Almost one third of the people living on this planet, especially in Asia, eat plant-based cheese and drink plant-based milk - and call it such as a matter of course. Not so in the European Union (EU): An EU Regulation is interpreted by some courts in the Member States as categorically allowing only those products to be called milk, cheese & butter that are milked as “mammary secretion”, i.e., only those that are made from animal milk.

However, the European Court of Justice (ECJ) could change that in a preliminary ruling. On 14 June it will most likely decide on whether plant-based products may be called “cheese”, “milk”, “butter”, etc.“ in combination with additional terms such as “veggie” or “soy”.

The relevant court case at the Landgericht (district court) in Trier pertains to products made by the company TOFUTOWN. The makers of ecologically produced vegetable foods, represented by the lawyer’s office WILDE BEUGER SOLMECKE, have been sued by lobby groups because of their product descriptions such as “Veggie Cheese” and “Tofu Butter”. the lobbyists base their claims on the interpretation of the EU Regulation to date.

The EU Regulation on “milk” products is outdated

Reality has overtaken this way of thinking. The regulators’ intention was to protect consumers and producers against manufacturers mislabelling and distributing cheap products as dairy products to give the impression that they are animal dairy products, thereby gaining a competitive advantage.

However, alternatives to meat and dairy are now available in all food stores and distribution channels in the EU. Consumer awareness has correspondingly changed considerably. Unlike the “fake cheese” scandals, it is not the intention to deceive consumers regarding the actual contents, but rather to motivate them to make a conscious decision for a plant-based, quality organic alternative to cheese made from animal milk. It is therefore especially important to inform them which vegetable ingredients replace the animal ingredients in the milk product.

ECJ could decide in favour of an environmentally friendly way of thinking

The Regulation nonetheless continues to be used to discredit vegetable products, but this makes it more difficult for manufacturers of food products as a whole to take a more ecological path.

TOFUTOWN, on the other hand, is facing up to this misinterpreted lobbyism of the institutions and makes a case against global warming, for environmental protection and for a fair distribution of the planet’s protein supply. It would be desirable if the path to more plant-based foods were made easier – instead of supporting 90% of vegetable proteins being fed to so-called livestock.

The ECJ now has the opportunity to decide in favour of a different interpretation of the Regulation and thus clear the way for this more environmentally friendly and ecological approach.

We will report on the 14th of June.