



Food Legislation News

No. 2 – April 2026

Statements of the ALS

The Working Group of Food Chemistry Experts from the Federal States and the Federal Office of Consumer Protection and Food Safety (ALS), at its 125th meeting, prepared the following statements, among others:

Classification of products as food or non-food:

For classification as food or non-food, the ALS recommends applying the Guidance Document for the Classification as Food pursuant to Art. 2 of Regulation (EC) No. 178/2002 (General Food Law) (Statement No. 2025/09).

Link (in German):

https://www.bvl.bund.de/SharedDocs/Downloads/01_Lebensmittel/ALS_ALTS/Anlage_ALS-Stellungnahme_2025_09_Leitfaden_Einstufung.pdf?__blob=publicationFile&v=3

Designation of the ingredients “brown sugar”, “Kandisfarin” and “Farinzucker” in compound foods:

“Brown sugar” and “Farinzucker” may be either single-ingredient products or products composed of several ingredients. If they consist of multiple ingredients, the individual components must be listed in the ingredients list. “Kandisfarin”, however, is a single-ingredient product. All three designations qualify, according to the ALS, as customary terms (Statement No. 2025/10).

FIC – QUID declaration for “coconut milk for drinking”:

For a product which, according to its ingredients list, consists, among other things, of “40% coconut milk (water, coconut flesh), ...”, the quantity of coconut flesh must be indicated in the list of ingredients (Statement No. 2025/11).

FIC – Indication of nitrogen in the list of ingredients:

Nitrogen used must be indicated in the list of ingredients as “nitrogen” or “E 941”. No permissible category name exists. Outside the ingredient list, a statement such as “whipped with nitrogen” may be used (Statement No. 2025/12).

Allergen labelling of wheat species:

Since the legally required allergen to declare is “wheat”, but other wheat species do not always contain the word “wheat” in their name, the ALS recommends indicating, for example, that spelt is a wheat species (Statement No. 2025/13).

Example:

“Spelt flour (a **wheat** species)” or “Spelt flour (hulled **wheat**)”.

Font size on (almost) cylindrical containers (cans, bottles):

The required font size for labelling is based on the largest surface area of the packaging. This “largest surface area” is calculated for nearly cylindrical packaging using the height and circumference. The lid, bottom, bottle neck and bottle shoulder are not included (Statement No. 2025/16).

Nutrition labelling of folic acid/folate:

The ALS recommends applying its guidance document on nutrition labelling published on the BVL website (Statement No. 2025/17).

Link (in German):

https://www.bvl.bund.de/SharedDocs/Downloads/01_Lebensmittel/ALS_ALTS/Anlage_ALS-Stellungnahme_2025_17_Handreichung_Naehrwertkennzeichnung_Folsaeure.pdf?__blob=publicationFile&v=2

Note:

Statements by ALS are not legally binding; they can be regarded as expert opinions.

Further details, as well as an up-to-date overview of the statements in German, the statements from the most recent meeting, and the archive can be found at:

https://www.bvl.bund.de/EN/Tasks/01_Food/01_tasks/02_OfficialFoodControl/12_ALS/Im_ALS_node.html.

Statements of the ALTS

The Working Group of Experts in the Field of Food Hygiene and Foods of Animal Origin (ALTS), at its 96th meeting on milk and dairy products, adopted two resolutions:

FIC – Transglutaminase in dairy products:

The food enzyme transglutaminase may be exempt from mandatory indication in the list of ingredients if used as a processing aid (Art. 20(b)(ii) of Regulation (EU) No. 1169/2011 (FIC Regulation)).

Residues of processing aids must not affect the final product (Art. 3(2)(b)(iii) of Regulation (EU) No. 1333/2008). When assessing this, it must be considered that the addition of transglutaminase leads to changes in protein structure and functionality, which remain present in the final product (No. 2025/96/02).

Assessment of the statement “valuable constituents of milk” on packaging of drinking milk:

The ALS considers the statement “valuable constituents of milk are preserved using this process” in the continuous text on a package of pasteurised drinking milk to be an impermissible nutrition claim (No. 2025/96/03).

Note:

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https://www.bvl.bund.de/EN/Tasks/01_Food/01_tasks/02_OfficialFoodControl/13_ALTS/Im_ALTS_basepage.html

News from BfR

The Federal Institute for Risk Assessment (BfR) has published the following, among others:

Infant formula with added “probiotics”:

Based on the available data, the BfR sees no health benefits when probiotic bacterial strains are added to infant or follow-on formula (Statement No. 005/2026, in German: <https://www.bfr.bund.de/stellungnahme/gesundheitslicher-nutzen-von-saeuglingsnahrung-mit-zusatz-von-probiotika-wissenschaftlich-weiterhin-nicht-belegt/>).

Cereulide in infant formula:

In Communication No. 007/2026, the BfR published general information on the pathogen and the toxin it produces: (<https://www.bfr.bund.de/en/notification/cereulide-in-infant-formula/>;
<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2026.9941>).

Hygiene for food and consumer goods during bird flu – FAQ:

The BfR has updated its FAQ concerning how to protect oneself and one’s family from bird flu: (<https://www.bfr.bund.de/en/service/frequently-asked-questions/topic/selected-questions-and-answers-relating-to-hygiene-of-food-and-consumables-in-times-of-the-bird-flu-how-can-i-protect-myself-and-my-family/>).

Moulds and mycotoxins in food:

In Press Release No. 07/2026, the BfR refers to a podcast on moulds, mycotoxins, and possible health effects: (<https://www.bfr.bund.de/en/press-release/moulds-and-mycotoxins-invisible-hazards-in-food/>).

Mycotoxins in soy, almond or oat drinks:

The BfR has updated its assessment of health risks in the above-mentioned drinks based on new data (Statement No. 009/2026, <https://www.bfr.bund.de/en/opinions/mycotoxins-in-plant-based-drinks-soy-almond-and-oat-the-bfr-updates-its-assessment-of-their-health-risks-based-on-newly-collected-data/>).

Sucralose:

Because harmful substances can form when sucralose is heated above 120°C, the BfR recommends adding it to food only after heating (Notification No. 015/2026): <https://www.bfr.bund.de/en/notification/sucralose-heating-above-120c-can-produce-substances-that-are-harmful-to-health/>;
<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2026.9854>).

Aluminium phosphide – FAQ:

Information on the highly toxic pesticide aluminium phosphide can be found here: (<https://www.bfr.bund.de/en/service/frequently-asked-questions/topic/aluminium-phosphide-highly-toxic-pesticide/>).

Ethylene oxide/2-Chlorethanol:

For the ethylene-oxide breakdown product 2-chloroethanol, the BfR has derived provisional health-based reference values (Statement No. 017/2026, in German: <https://www.bfr.bund.de/stellungnahme/2-chlorethanol-bfr-leitet-vorlaeufige-gesundheitsbasierte-referenzwerte-ab/>).

A FAQ on the health risks of ethylene oxide and 2-chloroethanol is also available: <https://www.bfr.bund.de/en/service/frequently-asked-questions/topic/health-risk-of-ethylene-oxide-in-food/>).

EFSA Publications

The European Food Safety Authority (EFSA) has published, among other things:

Meat intended for freezing – bacterial growth:

EFSA has examined the growth of bacteria in meat during cooling, storage and thawing (<https://www.efsa.europa.eu/en/news/meat-intended-freezing-efsa-assesses-bacterial-growth-meat-it-reaches-consumers>).

Lectins in food:

EFSA assessed the public-health risks associated with insufficiently heated legumes (<https://www.efsa.europa.eu/en/news/lectins-food-undercooked-beans-pose-health-risk-says-efsa>).

Cannabidiol:

EFSA has established a provisional safe level for cannabidiol as a novel food (<https://www.efsa.europa.eu/en/news/provisional-safe-level-cannabidiol-novel-food>).

Antibiotic resistance:

According to a joint report by EFSA and the ECDC, antibiotic resistance in foodborne bacteria continues to pose a public-health concern (<https://www.efsa.europa.eu/en/news/antimicrobial-resistance-foodborne-bacteria-remains-public-health-concern-europe>).

Changes relating to plant protection products

Maximum residue levels (MRLs):

Regulations (EU) 2026/215, 2026/140 and 2026/147 amended the MRLs for the following active substances:

Acequinocyl, Benfluralin, Benthiavalicarb, Chloromequat, Dimoxystrobin, Ethephon, Metalaxyl-M, Penflufen, Propamocarb, Pyraclostrobin, Sulfoxaflor and Trifloxystrobin.

Information on plant protection products from the BVL:

Extensive information on authorised plant-protection products, revoked or suspended authorisations and emergency authorisations is available on the BVL website: (https://www.bvl.bund.de/EN/Tasks/04_Plant_protection_products/01_ppp_tasks/02_ppp_AuthorisationReviewActSub/01_ppps_authorised/ppp_authorised_node.html).

Further Publication from BVL

The Federal Office of Consumer Protection and Food Safety (BVL) has published the following, among others:

Annual statistics 2025 of Lebensmittelwarnung.de:

According to the BVL's annual statistics, listeria was the most frequent cause of recalls in 2025 involving pathogens. Salmonella ranked second.

Links (in German):

- https://www.bvl.bund.de/SharedDocs/Pressemitteilungen/01_lebensmittel/2026/PM_Lebensmittelwarnung_de_2025.html,
- https://www.lebensmittelwarnung.de/LMW-Redaktion/Themen/01_Zahlen_Daten_Fakten/Artikel_Zahlen_Daten_Fakten.html.

Veterinary medicinal products:

The BVL has published the announcement on the authorisation of veterinary medicinal products and other official acts dated 22 January 2026:

(in German: https://www.bvl.bund.de/SharedDocs/Downloads/05_Tierarzneimittel/Bekanntmachungen/2026_03_03_Bekanntmachung_BAnz.pdf?__blob=publicationFile&v=2).

Judgements

ECJ – Organic control body code:

In advertising brochures, the organic control body code of the advertised product does not need to be indicated (Judgement of 18 December 2025, Case C-745/24, in German: <https://infocuria.curia.europa.eu/tabs/document/C/2024/C-0745-24-00000000RP-01-P-01-3390718/ORD/313780-DE-1-html>).

Unit price indication for dry soups, sauces and pudding powders:

For dry soups and sauces, the volume of the ready-to-eat preparation is indicated; for pudding powder, the volume of liquid needed for preparation is indicated. Since these products are therefore not offered by weight, volume, length or area, they may be placed on the market without a unit price (Higher Administrative Court of Berlin-Brandenburg, Judgement of 3 December 2025, Case OVG 1 B 8/21, in German: <https://gesetze.berlin.de/bsbe/document/NJRE001630255>).

Health-related claims for spermidine:

Claims such as “keeps you young”, “strengthens the heart” or “reduces hair loss” constitute impermissible health claims (Regional Court of Itzehoe, Judgement of 19 December 2025, Case 6 O 161/24, not legally binding).

Links:

- <https://www.verbraucherzentrale.de/verbandsklagen/klage-gegen-bluebiotech-international-gmbh-96452> (in German),
- <https://www.lebensmittelklarheit.de/news/gericht-verbietet-ueberzogene-gesundheitsversprechen-fuer-spermidin> (in German),
- ECJ: <https://curia.europa.eu/site/upload/docs/application/pdf/2025-04/cp250057en.pdf>

Miscellaneous

Additives:

- Shellac: Regulation (EU) 2026/189 amended the conditions of use of shellac (E 904) in foods for special medical purposes in the form of compressed and coated tablets (https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202600189&qid=1773666580966).
- Thickeners: Conditions of use for E 407, E 410, E 412, E 414, E 415, E 440, E 1450 as well as specifications for E 410, E 412, E 414, E 415, E 440 and E 1450 were amended by Regulation (EU) 2026/196 (https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202600196).
- Descriptors: The EU Commission has published an updated version of the Guidance Document on describing food categories of Regulation (EC) No. 1333/2008 on additives (https://food.ec.europa.eu/system/files/2022-12/fs_food-improvement-agents_guidance_1333-2008_annex-2.pdf).

Poultry Meat:

On 17 February 2026, marketing standards for poultry meat (Delegated Regulation (EU) 2026/343) and the associated implementing provisions (Implementing Regulation (EU) 2026/344) were published.

Links:

- https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202600343
- https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202600344

Animal-welfare labelling:

The Second Act Amending the Animal Husbandry Labelling Act extends the transitional period to 1 January 2027 (in German: <https://www.recht.bund.de/bgbl/1/2026/34/VO.html>).

Missleading environmental claims “greenwashing”:

The Third Act Amending the Act Against Unfair Competition aims to strengthen consumer protection in relation to environmental claims and sustainability labelling (in German: <https://www.recht.bund.de/bgbl/1/2026/43/VO.html>).

German Food Code guidelines:

The following amendments and new versions have been published in the Federal Gazette:

- Amendment of the guidelines for honey ([BAnz AT 13.02.2026 B4.pdf](#))
- Amendment of the guidelines for ice cream ([BAnz AT 13.02.2026 B5.pdf](#))
- New version of the guidelines for wine-like, semi-sparkling-wine-like and sparkling-wine-like beverages ([BAnz AT 02.03.2026 B5.pdf](#)).

Last update: 4 March 2026

EC Alert Notifications

Following are notifications chosen from the European Rapid Alert System for Food and Feed. Considered were alerts for food, information and border rejections which arrived **between 23 January and 18 March 2026**.

Source: <https://webgate.ec.europa.eu/rasff-window/screen/search>

Reason for Notifying	Product	Country of Origin	Notes	Number
Mycotoxins				
Aflatoxins total: 49	peanuts, pistachios, figs, hazelnuts, brazil nuts (including products)			44
	nutmeg	Indonesia	B1: 41 µg/kg; total: 43 µg/kg	1
	corn starch	Serbia	B1: up 4.8 µg/kg	1
	sunflower seeds	Turkey	B1: 31.5 µg/kg; total: 34.9 µg/kg	1
	basmati rice, rice	Pakistan	B1: up 6.9 µg/kg; total: up 7.7 µg/kg	2

Reason for Notifying	Product	Country of Origin	Notes	Number
Ochratoxin A	dried figs	Turkey	up 201 µg/kg	35
	dried mulberries	Turkey	6.28 µg/kg	1
	raisins	Uzbekistan	12.19 µg/kg	1
	chili powder	Sri Lanka	42.0 µg/kg	1
	coffee	Italy	8.56 µg/kg	1
	cocoa powder	Netherlands	14.8 µg/kg	1
Heavy Metals / Other Metals				
Lead	pheasant breast	Netherlands	1.09 mg/kg	1
	avocados	Mexico	0.149 mg/kg	1
	garlic powder	India	up 0.9 mg/kg	1
Cadmium	horse kidney	Netherlands	10.0 mg/kg	1
	octopus	India	up 2.4 m/kg DM	1
	avocados	Peru, Colombia	up 0.12 mg/kg	7
	beans, mung beans	Peru, Venezuela	up 0.11 mg/kg	2
	paprika	Spain, Turkey	up 0.065 mg/kg	2
	green asparagus	Mexico	0.057 mg/kg	1
	buckwheat	Poland	0.108 mg/kg	1
	rice	Ecuador	0.22 mg/kg	1
Mercury	fish, fish products	Spain, Italy	up 1.8 mg/kg	3
	food supplement	Switzerland, Slovenia	up 4.84 mg/kg	2
Nickel	sauerkraut	Serbia	0.922 mg/kg	1
	sunflower seeds	Bulgaria	16.9 mg/kg	1
Zinc	food supplement	Netherlands, USA, unknown	content too high	3
Other Contaminants / Residues				
Chlorate	broccoli	Egypt	3.7 mg/kg	1
	xanthan gum	China	2.7 mg/kg	1
Ethylene oxide, 2-Chloroethanol	food supplement, spices, turmeric extract	Slovenia, Lebanon, China		4
Benzo(a)pyrene, Polycyclic Aromatic Hydrocarbons (PAH)	linseed oil	Germany	Benzo(a)pyrene: 4.72 µg/kg; PAH: 29.00 µg/kg	1
	valerian root	USA	Benzo(a)pyrene: 20.1 µg/kg; PAH: 105.2 µg/kg	1

Reason for Notifying	Product	Country of Origin	Notes	Number
	mate tea	Argentina	Benzo(a)pyrene: 89.7 µg/kg; PAH: 399.2 µg/kg	1
	roasted green wheat	Belgium	Benzo(a)pyrene: 4.7 mg/kg	1
Mineral oil hydrocarbons (MOSH/MOAH)	protein powder, vegan protein powder	Germany, unknown	MOSH: up 69 mg/kg; MOAH: up 11 mg/kg	4
	instant noodles	China	MOSH: 43 mg/kg; MOAH: up 5.0 mg/kg	2
	peas	Philippines	MOAH: 7.2 mg/kg	1
	rice	Pakistan	MOAH	2
	lollipops	USA	MOAH	1
Acrylamide	snack product	Spain	689 µg/kg	1
3-Monochloro-1,2-propanediol (3-MCPD)	fish oil	China	18,000 µg/kg	1
	margarine	Ukraine	4,100 µg/kg	1
Glycidyl esters	margarine	Ukraine	2,300 µg/kg	1
	rice oil	India	2,349 µg/kg	1
	eggplants in oil	India	2,067 µg/kg	1
	chips	Netherlands		1
Ergot (<i>Claviceps purpurea</i>)	wheat	France		1
Pyrrolizidine alkaloids (PA)	black tea	India	7,980 µg/kg	1
	herbal tea	Slovakia	849 µg/kg	1
	oregano	Greece, Turkey	up 5,244 µg/kg	2
	cumin	Italy, unknown	up 7,450.1 µg/kg	2
Quinolizidine alkaloids	dried lupins	Italy		1
Tropane alkaloids	millet	Italy	15.3 µg/kg	1
Hydrocyanic acid	linseed	Ukraine	249 mg/kg	1
	fine bakery goods (Amarettini)	Italy	24.5 mg/kg	1
Pharmacological Active Substances				
Muscimol	lollipops	Netherlands		1
Cannabidiol (CBD), Tetrahydrocannabinol (THCP)	CBD oil, hemp oil, flavouring oils	Netherlands, Austria	CBD	4
	sweets	Czech Rep., Netherlands, USA	CBD	5

Reason for Notifying	Product	Country of Origin	Notes	Number
	sweets	Czech Rep.	THCP	1
	various foods	Czech Rep., UK	CBD	1
Psychoactive cannabinoids	sweets	Czech Rep.		1
Tetrahydrocannabinol (THC)	CBD oil	Austria, Netherlands	up 1,549 mg/kg	3
	hemp oil	Latvia	10.1 mg/kg	1
	brownies, cookies	Netherlands, Czech Rep.	up 2,330.3 mg/kg	4
	gummies	USA, Czech Rep.	0.64 mg/kg	2
	various foods	Czech Rep., UK		1
Melatonin	food supplement	USA, unknown		2
Chloramphenicol	shrimps	India	0.23 µg/kg	1
Malachite green, Leucomalachite green, Crystal violet	shrimps	Bangladesh	Malachite green: 0.4 µg/kg; Leucomalachite green: 0.7 µg/kg	1
	fish fillets	Vietnam	Crystal violet: 8.35 µg/kg	1
Tetracyclines	beef	Belgium	Oxytetracycline: 207 µg/kg	1
	shrimps	Vietnam	127 µg/kg (sum)	1
Sibutramine	food supplement	Thailand		1
Sildenafil (including analogues)	food supplement	USA		1
	honey paste	Turkey		1
Unauthorised Colours				
Viktoria blue	rainbow trout	UK		1
Orange II	tea extract powder	Indonesia		1
Sudan IV	paprika flavouring	India		1
Titanium dioxide (E 171)	food supplement	Latvia, UK, Cyprus, Netherlands		4
	confectionery, confectionery decoration	Ukraine, Russia, China, Turkey, USA, Colombia, unknown		9
	tea	Turkey		1
Miscellaneous				
Ascorbic acid	tuna	Vietnam	1,008 mg/kg	1
Glycerine (E 422)	slush ice concentrate	Netherlands	40,410 mg/l	1

Reason for Notifying	Product	Country of Origin	Notes	Number
Parasitic infestation with Anisakis	fish, fish products, squid	Spain, Albania, Morocco		5
GMO, not authorised	rice noodles	China		1
Pathogenic Germs				
Salmonella total: 88	meat, meat products (including poultry)			77
	fish	Belgium		1
	crab claws	China		1
	sheep`s milk cheese	France		1
	sesame, sesame products	Syria, Nigeria, India		3
	sunflower seeds	Romania		1
	rosemary, pepper, bay leaves	Morocco, Nigeria, unknown		3
	dried mulberries	Netherlands		1
<i>Listeria monocytogenes</i>	meat, meat products (including poultry)	Netherlands, Belgium, Estonia, Spain, France		7
	fish, fish products	France		1
	shrimps, shrimp products	Madagascar		1
	cheese, gorgonzola cheese, raw milk goat cheese, sheeps`milk cheese, dairy products	Italy, Belgium, France		5
	pancake, ready-made dish	Belgium		2
	broccoli, mushrooms	Poland, Netherlands		2
<i>Bacillus cereus</i>	ready-made dish	South Korea		1
<i>B. cereus</i> toxin cereulide	Infant formula	France, Netherlands, Ireland, Germany (raw mat. Ireland), Portugal, Estonia	up 10.7 µg/kg	8
	Infant and follow-on formula	Poland		1
	powder (ingredient) used to manufacture infant formula, follow-on formula and food for special medical purposes (FSMP)	Ireland		1
<i>Clostridium botulinum</i>	salmon mousse	Germany		1
Shiga toxin-producing E. coli (STEC)	beef, beef products, salami	Uruguay, Germany, Belgium, Australia		7
	cheese, raw milk goat cheese, raw milk cheese	France, Switzerland, Denmark		3

Reason for Notifying	Product	Country of Origin	Notes	Number
Norovirus	oysters	France, Netherlands, Ireland, Italy, Northern Ireland	(4x suspicion)	15
	mussels	France		1
	raspberries	Morocco		1

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