



Chemical Food Safety Unit/Food Hygiene Section

Instructions for withdrawal of unauthorised novel foods from the market

This Guideline is designed for use by food sector operators and control authorities. Finnish Food Authority has not been conferred legislative competence in this matter and cannot therefore issue binding regulations. The interpretations presented in this Guideline constitute the views of the authority supervising food control on how legislative regulations should be applied. Issues pertaining to the application of legislative regulations are in the last instance settled by a court of law.

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Novel foods refer to foods and food ingredients which have not prior to 15.5.1997 been used for human consumption to a significant degree within the European Union. Pursuant to Regulation (EU) 2015/2283 on Novel Foods, authorisation is required for placing foods classified as novel foods on the market and to obtain the authorisation, the food shall pass a safety assessment. New processes, such as foods produced using nanotechnology, also fall under the Novel Food Regulation.

There are no comprehensive lists of novel foods or authorised products. Under the Food Act (297/2021, Section 6), food business operators are responsible for their products being safe and compliant with food regulations. As far as novel foods are concerned, the operators are also responsible for establishing and, if necessary, proving the history of use and the novel food status of the food. Particularly with respect to plants, which are not commonly known for their use as food (such as exotic plants from non-EU countries or wild plants with no known prior use as food), the operators shall verify that they have had significant history of use as food within the EU prior to the adoption of the Novel Food Regulation (15 May 1997).

Only authorised novel foods may be placed on the market. If unauthorised novel foods are found on the market, they will have to be withdrawn, because the safety of the product as food has not been verified. Finnish Food Authority will inform authorities in other countries, if necessary, through the RASFF alert system about an unauthorised novel food.

Information on novel foods is available on Finnish Food Authority's website at <https://www.ruokavirasto.fi/en/companies/food-sector/production/common-requirements-for-composition/novel-foods/> and on the website of the Commission at https://ec.europa.eu/food/food/novel-food_en.



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Examples of food products and food ingredients, which have been classified as novel foods but have not been authorised for placing on the market under the Novel Food Regulation

- Chaga (*Inonotus obliquus*) in other foods than food supplements and herbal infusion
- Leaves of the Stevia plant (*Stevia rebaudiana*) in other foods than herbal infusion
- *Hoodia gordonii* cactus
- Nangai nuts (*Canarium indicum*)

Coming into force

This guidance has come into force on 1.6.2021 and it replaces the previous version (The Finnish Food Safety Authority Evira's guidance 17020/6, published on 8.8.2018)

Updates in version 7

The guidance has been converted from The Finnish Food Safety Authority Evira's instruction to that of the Finnish Food Authority and to accessible form.

The number of the Food Act has been amended.

The examples of food products which have been classified as novel foods have been updated.



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