

## **ENSA reactive statement - European Court of Justice ruling on the use of non-organic lithothamnium in organic plant-based drinks as a source of calcium**

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In the case C-815/19 Natumi referred for a preliminary ruling, the European Court of Justice concluded that non-organic lithothamnium could not be used in organic plant-based drinks when used solely for the purpose of adding calcium.

The red algae lithothamnium is an algae naturally rich in calcium and magnesium, which is used as an ingredient in organic plant-based drinks.

Like all organic products, organic plant-based drinks cannot be fortified with additives and minerals such as calcium carbonate. For this reason, natural ingredients rich in calcium such as lithothamnium are used instead, to offer consumers plant-based drinks which are meeting their expectations in terms of nutrient profile, namely similar nutritional composition as non-organic plant-based drinks.

In the absence of available organic lithothamnium on the EU market, plant-based drinks manufacturers so far had to use non-organic lithothamnium to ensure organic plant-based drinks were meeting consumer needs.

The European Plant-based Food Association ENSA regrets that, as a result of the ruling, this will no longer be a possibility. Actions will be taken to adjust production accordingly; we call for an appropriate transition period to allow the exhaustion of products containing non-organic lithothamnium.

In the meantime, organic lithothamnium is now available in the EU market, providing an alternative to offer calcium-rich organic plant-based drinks to consumers who are looking for sustainable, organic and nutritious products, in line with the objectives of the European Commission Farm to Fork Strategy which aims to increase organic production and consumption at the same time as a shift towards and more plant-based healthy diets.

### **About ENSA**

The European Plant-based Foods Association (ENSA) represents the interests of plant-based food manufacturers in Europe. ENSA is an association of internationally operating companies, ranging from large corporations to small, family-owned businesses with an annual turnover of around €1.5 billion. ENSA members produce high-quality plant-based alternatives to dairy and meat products. Since its establishment in 2003, ENSA has been raising awareness about the role of plant-based diet in moving towards more sustainable and healthier food consumption patterns.