

EN

E-001706/2026

Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(29.6.2026)

Under current EU law, the situations in the food and cosmetics sectors are not equivalent. In the milk and milk products sector, dairy terms such as ‘milk’ and ‘cheese’ are expressly protected under Regulation (EU) No 1308/2013¹, as endorsed by the Court of Justice of the European Union in its judgment in the TofuTown case².

By contrast, Regulation (EU) No 655/2013 on cosmetic claims³ does not reserve particular biological or technical terms exclusively for animal-derived substances. It instead requires that claims comply with common criteria such as truthfulness, honesty and evidence-based substantiation.

Accordingly, the use of expressions such as ‘plant keratin’ is not automatically prohibited, provided that consumers are clearly informed of the plant origin and are not misled as to the ingredient’s nature, composition or efficacy. However, claims suggesting that plant-derived proteins are chemically identical to animal keratin, or provide equivalent structural performance without adequate evidence, could be considered misleading under that Regulation.

The Commission notes that enforcement of these principles is primarily the responsibility of Member States’ competent authorities on a case-by-case basis. Those authorities should assess, among others, the appropriateness and relevance of the supporting evidence for justifying the use of claims.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02013R1308-20260318>.

² Judgment of 14 June 2017, *Verband Sozialer Wettbewerb eV v TofuTown.com GmbH*, C-422/16, EU:C:2017:458, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62016CJ0422>.

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R0655>.