Innovations in food law: University of Bayreuth examines reform need in context of health and environmental protection

Modern legal systems should protect human health and the environment, but at the same time also enable innovations to resolve important issues of the future. How successfully food law in the European Union fulfils these functions, and whether there is a need for reform, is being investigated in a new research project led by Prof. Dr. Kai Purnhagen, Chair of Food Law at the University of Bayreuth in Kulmbach. The project will be funded by the German Research Foundation (DFG) and Oberfrankenstiftung (Upper Franconia Foundation) to the amount of around € 800,000 over the next four years.

In molecular genetics, plant breeding, agriculture, and ecology, scientific findings and technological innovations have been achieved in recent years that open fundamental new possibilities for the production and processing of food. Consequently, the new research project intends to address the question of whether the legal framework of the European Union does justice to this current state of development.

"Scientifically based weighing of risks and opportunities is of central importance for the planned research work. This requires an interdisciplinary approach. In our new project we therefore do not wish to rely solely on the latest findings from the natural and environmental sciences, but also use, for example, the procedures developed in the economic and social sciences that enable qualitative and quantitative risk assessment. Today, these procedures are used in socio-economic analyses, among other things. In the legal sciences, on the other hand, very interesting approaches have been developed that aim to better coordinate scientific-technological innovation and legal systems. These findings are also to be incorporated into our project. This is therefore a lighthouse project of potentially huge international impact, which we in Kulmbach will be able to advance over the next few years thanks to generous funding from the DFG and Oberfrankenstiftung," says Purnhagen.

The project will not be limited to legal analyses, but is expressly understood as a reform project. It aims to develop a contemporary legal framework that better promotes important societal concerns at a national and European level. It is about the long-term protection of health, climate, and the environment, combined with a sufficient supply of high-quality food for the population in the future. The project aims to contribute to the creation of a legal situation that re-balances these goals based on state-of-the-art scientific knowledge.

"It is possible that in the course of our research we will find that some innovations, for example in the field of biotechnology, are more compatible with the sustainability goals than they might seem at first glance. This is the case with CRISPR/Cas technology for gene editing, for example, which is still subject to severe legal restrictions in the EU. To give a concrete example, the provision of nutrient-rich whole foods on a low carbon footprint can only be realised on a global scale if the potential of gene editing for health- and ecologically safe food production is allowed to be used extensively. Otherwise, we need much more land to produce the food we need to feed the world’s rising population," explains Purnhagen.
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