

Lebensmittelrecht und -sicherheit: Rückblick auf Lebensmittel.Recht.Up2Date 2023

Quality Austria und SAICON veranstalteten die "Lebensmittel.Recht.Up2Date" Tagung, bei der Experten aus dem Lebensmittel sektor, Behörden und Rechtsanwaltskanzleien die aktuellen und bevorstehenden Entwicklungen im Lebensmittelrecht diskutierten. Themen reichten von Rechtsprechung über Lebensmittelüberwachung bis zu Verbraucherperspektiven. Die Veranstaltung bot Einblicke in Herausforderungen und künftige Veränderungen im Lebensmittel sektor sowie deren rechtliche Auswirkungen.



v.l.: Birgit Beck und Theresa Bauer, Verein für Konsumenteninformation (VKI),
Wolfgang Leger-Hillebrand, Prokurist Branchenmanagement Lebensmittelsicherheit
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5a ·%%"·C _hcVYf·&\$&' ·k i fXY ·]a ·K]YbYf·5fYg·Hck Yf·YfbYi h'X]Y
HU[i b[· @YVYbga]hhY·"F YVW h"l d&8 UhY ·j cb·E i U`]hm·5i ghf]U
i bX·G5=7CB ·j YfUbghU·hYh"; i h'VYgi W h j cb·J YfhfYhYfb ·XYg
@YVYbga]hhY·gY_hc fgž6Y\ØfXYbž6Y[i hUW h i b[žA]b]ghYf]Ybž

↳ gh]n`i bX`FYWX hgUbk U`hg_Ubn`Y]Yb`k i fXYb`X]Y`j Yf[Ub[YbYb`i bX
_ca a YbXYb`9bhk]W`i b[Yb`]a `@YVYbga]hhY`fYWX h`X]g_i h]Yfh`i bX
VY`Yi WX hYh`8i fWX`X]Y`J YfUbghU`hi b[``Y]hYhY`XYf`GUWX j YfghAbX][Y
5bXfYUg`GWX a Ø`nYf"

F ØW_V`]W_`Ui Z`@YVYbga]hhY`"F YWX h"l d &8 UhY
&\$&' .`5_hi Y``Y`9bhk]W`i b[Yb`]a
@YVYbga]hhY`fYWX h

8]Y`FY]\Y`Ub`JcfhfÀ[Yb`k i fXY`j cb`FYWX hgUbk U`hA Uf_i g` fi VY
a]h`Y]bYa ` , VYfV`]W`ni f`FYWX hgdfYWX i b[`YfØZbYh`8]YgY`k Uf
_Øfn`WX`[YdfÀ[h`j cb`8]g_i gg]cbYb`fi bX`i a `X]Y`?YbbnY]WX bi b[
j cb`@YVYbga]hhY`b`k]Y`VY]gd]Y`gk Y]gY`Y]bY`XUg` Yk]WX h
Yf[AbnYbXY`GhØW_nU\`Ub[UVY`VY]`GØ» k UfYbdUW_i b[Yb`cXYf`X]Y
5b[UVY`j cb`5i ghUi gWX ni hUhYb`Ui Z`XYf`J cfXYf!`cXYf`F ØW_gY]hY"

9f`\cV`Ui WX`Y]bY`ZØf`8Yi hgWX`UbX`k]WX h][Y`9bhgWX Y]Xi b[`ni a
H\Ya U` GYdUfUhcfYbZY]gWX` \Yfj cfž`VY]`XYf`Y]bY`ZfØ\YfY
9]bghi Z`b[`VY]<\bYfZY]gWX`k]Y`XYf`fØW_[Ab[][` Ya UWX h`k i fXY
`a]h`Yb`hgdfYWX YbXYb` c`[Yb`ZØf`X]Y`DfcXi nYbhYb`6Y]a`6`]W_`]b
X]Y`Ni _i bZh`g]Y\h` fi VY`X]Y`Ub[Y_\ØbX][hYb`[fc» Yb
f?YbbnY]WX bi b[g!£`YbXYfi b[Yb`a]h`XYb`6Ui ghY]bYb
BÀ\fk YfhUa dY`ž<U`hVUf_Y]hgUb[UVYbž<Yf_i bZhg_YbbnY]WX bi b[
i bX`BÀ\fk YfhdfcZ`Y`bcWX`j cb`Y]bYf`Z]bU`Yb`5Vgh]a a i b[`k Y]h
YbhZYfbh` `gY]bYf`9]bgWX Abni b[`bUWX`]gh`a]h`Y]bYf`9bhgWX Y]Xi b[
XUni`]b`X]YgYf`9I`!DYf]cXY`b]WX h`a Y\f`ni `fYWX bYb"

GWX cb`gY]h`Y]b][Yb`A cbUhYb`]gh`]b`8Yi hgWX`UbX`a`]hh`Yfk Y]`Y`XUg
@]YZYf`YhhYbgcf[ZU`hg[YgYhn`]b`?fUZh`XYf`9fZU\`fi b[gVYf]WX h`j cb
A Uf_i g` fi VY`\]Yfni `k Uf`ØVYffUgWX YbX`8U`XUg` YgYhn`]b`YfghYf
@]b]Y`Y]bY` 6Ya Ø\YbgdZ]WX h`j cfg]Y\h`k]fX`X]Y`_ca a YbXY
9i fcdÀ]gWX Y`@]YZYf`YhhYbf]WX h`]b]Y`f7G888£`j Yfa i h`]WX`k Y]h
k Yb][Yf`XfUgh]gWX`U`g`VYzØfWX hYh"

F YWX hgdfYWX i b[`i bX
@YVYbga]hhY`ØVYfk UWX i b[.`9]bV`]W_Y`i bX

< YfUi gZcfXYfi b[Yb

↳ hYfYggUbhY'9]bV`]W_Y`]b`X]Y`< YfUi gZcfXYfi b[Yb`XYf`Ua`h]W_Yb
, VYfk UW_Yi b[`nY][hY`I`f]W_Y`6i gW_Yj ca`@`@6UmYfb"9]b
gdUbbYbXYf`GW_Yk Yfdi b_h]b`XYf` , VYfk UW_Yi b[`K UfYb`@ghYf]Yb
VY]`dZUbn`W_Yb`@VVYbga]hhY`b` `VYX]b[h`Xi fW_Y`< m[]YbYXYZ]n]hY
]b`XYf`Df]a`AfdfcXi _h]cb`i bX`VY]a`K UgW_YYb`i bX`GW_YbY]XYb` `k Ug
ni f`5i gUfVY]hi b[`Y]bYg`YbhgdYW_YbXYb`@Y]hZUXYbg`ZØf
dZUbn`W_YFc\ _cgh`ZØ\fhY`K`Y]hYfY`GW_Yk Yfdi b_hY`gYhnhY`XUg
@`@6UmYfb`VY]`gc[YbUbbhYb` I`bj YfdUW_h`XYb`i bX`Ui Z`X]Y
?cbhfc``Y`j cb` Bi hf]GW_YfY`!5a dY`b` `VY]XYg`a]hi`bUi ZZ`][`Yb
9f[YVb]ggYb"Ni f`fØ\Yf_Ybbi b[`j cb`@VVYbga]hhY`VYhfi [
k YfXYb`a]hhYfk Y]Y`_ca d`YI`Y`8UhYba cXY`Y`ni f`6Yi fhY]`i b[`XYf
A Uf_h_cbg]ghYbn`Ui ZYbX`Ui g[Yk`YfhYh"

NY][h`Y]b`A`Uf_h`J`Yfk`YfZ`b[Ybž`bhYbg]j`]Yfh`X]Y`5i`Zg]W_Yh`X]Y
DfcVYbn]Y\i`b[`i`bX`?cbhfc``Y`Gc`_ØbbYb`bY[Uh]j`Y
9bhk`W_`i`b[Yb`ZfØ\Yf`Y]b[YXÀa`a`h`k`YfXYb`6YgcbXYfY
6YUW_Yhi`b[`j`YfX]Ybh`Y]b`cfgW_Yi`b[gdfc`Y_h`ni`f`?Ø\`_YhhY`I`a`X]Y
FY`Yj`Ubn`j`cb`I`bhYfVfYW_Yi`b[Yb`VYk`YfhYb`ni`_ØbbYbž`UfVY]hYh
XUg`@`@Ub`Y]bYa`Dfc[bcgYa`cXY`XYggYb`I`a`gYhni`b[`Ui`Z[`fi`bX
XYg`VYhf`W_Yh]W_Yb`5i`Zk`UbXYg`Y]b][Y`J\`fY`]b`5bgdfi`W_Yb`Y\`a`Yb
k`]fX"

@VVYbga]hhY`fYW_Yh`i`bX`?`]a`Uk`UbXY`.
5i`gk`]f_i`b[Yb`Ui`Z`X]Y`DfcXi`_hk`YfVi`b[

A`]h`K`YfbYf`GW_Yk`Ufna`Ubb`_cbbhY`Y]b`F]W_YhYf`XYg`@J`k`;
B`]YXYfØghYffY]W_Y[`Yk`cbbYb`k`YfXYbž`XYf`]b`gY]bYa`6Y]hfU[`X]Y
gW_Yk`]Yf][`Y`fU[Y`XYg`Gcf[ZU`hga`U`ghUVYg`a`
`VVYbga`]hhY`fYW_Yh]W_Yb`J`Yfk`U`hi`b[gj`YfZU\`fYb`]bhYbg]j`
VY`Yi`W_YhYhY`5i`g[Y\`YbX`j`cb`XYf`gdYn]Y`Yb`ØghYffY]W_Y]gW_YYb
J`Yfk`U`hi`b[gfYW_Yhg`U[Yž`VY]`XYf`Y]b`J`Yfghc`VYfY]hg`U`g`6Yk`Y]g`
XYg`Gcf[ZU`hga`Ub[Y`g`XYZ]b]Yfh`]ghž`U`h`XYf`ØghYffY]W_Y]gW_YY`J`k`;
<`Y]bYb`U`g`i`bYffY]W_YVUf`Ub[YgY\`YbYb`5bgdfi`W_YUb`XUg
i`bhYfbY\`a`Yf]gW_YY`?`cbhfc`gmghYa`Ybhk`]W<sub>Y`h`8`]Y`XUVY]
Ui`ZhfYhYbXY`@W_Y`_ØbbhY`Xi`fW_{Y`NYfh]Z]n]Yfi`b[Yb`ni`a`]bXYgh}</sub>

hY]`k Y]gY [YgWX `cggYb `k YfXYb " 8 Uni `Yf`Ai hYfhY `5bXfYUg
GWa O`nYf]b 8 cddY `WcbZAfYbWX `a]hXYa `JcfhfU[YbXYb `X]Y
; fi bX `U[Yb `XYg `NYfh]Z]n]Yfi b[ggmghYa g"

8Yf`6Y[f]ZZ ?`a U `]gha cXYfbz`k Ug`g]WX `Ui WX `Ub `XYf
DfcXi _hk YfVi b[`i bX `XYb `XUa]h`Y]b\Yf[Y\YbXYb
; Yf]WX hgYb hgWX Y]Xi b[Yb `ni `i b`Ui hYfYa `K YhhVYk YfV `a]hh`Yfk Y]`Y
XYi h]WX `b]YXYfgWX `A[h" 8 UbYVYb `k YfXYb `X]Y [Yd`Ub hYb
FYWX hgU_hY `XYf `9I `ni `; fYYbk Ug\]b[`i bX `I a k Y`hUi ggU[Yb `fc» Y
YbXYfi b[Yb `VYk]f_Ybzk]Y FYWX hgUbk U`hA Ufh]b `Dfc\Ug_U!
A UfWX f]YX `ni `Yf_YbbYb `UV" `Ni a `Y]bYb `k]fX `Yg`\]Yf`j cb `8f]hh`Yb
VYgWX Y]b][hY `B UWk Y]gY `XYf `hUhgAWX `]WX Yb `?`a U`Y]ghi b[
VfUi WX Ybzk cVY]`X]Y `6YnY]WX bi b[`K U`XgWX i hn `Y]bYf`Y]
6YXYi hi b[`a Y\f`UVYb `k]fX`Ni a `UbXYfYb `k]fX `X]Y `GWk UfnY
@]ghY `a]h`Y]bYf`FY]`Y`j cb `_ObZh][`dYf`gY `j YfVchYbYb
K YfVYUi ggU[Yb `Yf[Abnh`k YfXYbzk Ug`XYb `Gd]Y`fUi a `XYi h]WX
Y]bgWX fAb_Yb `k]fX"

5``Yf[YbY `i bX `Gdi fYb_YbbnY]WX bi b[. `9]bY
k]WX h][Y `, VYf`Y[i b[`]a `@YVYbga]hh`Y`gY `hc f

5bXfYUg `GWa O`nYf`j cb `G5=7CB `7cbgi `h]b[`VYhcbhY `]b `gY]bYa
JcfhfU[`ni a `H\Ya U`5``Yf[YbYz`XUgg `VY]`DfcXi _hYb `a]h
Gdi fYb_YbbnY]WX bi b[`Y]bY `6Yj cfni [i b[`Xi fWX `Ya dZ]bX `]WX Y
J YfVfUi WX Yf`ni `Yfk UfhYb `]gh" 8 U\Yf`a i gg`Y]bY `XYfUfh][Y
Gdi fYb_YbbnY]WX bi b[`Ui WX `U`Y `5``Yf[YbY `Yk Y]`g`ØVYf`X]Y
[YgUa hY `@YVYbga]hh`Y`_Yhh`Y`VYfØW_g]WX h][Ybzk Ug`XYf` G`J ,
Ui WX `]b `YbhgdFYWX YbXYb `Jcf[UVYb `Zcfa i `]Yfh`Uh" 8]Yg`[`]h
]bgVYgcbXYfY `Zof`DfcXi _hYz`X]Y `gdYn]Y``Zof`Ya dZ]bX `]WX Y
J YfVfUi WX Yf`Ya dZc\`Yb `k YfXYb `k]Y`ni a `6Y]gd]Y`
DgYi XcWX fYU`]Yb `Zof`[`i hYbgYbg]h]j Y `DYfgcbYb "

8YfUfh][Y`9a dZY\`i b[Yb `a ØggYb `Yf\cVYb `i bX `]b `Y]bYf
F]g]_cVYhfUWX hi b[`ni f`9bhgWX Y]Xi b[`ØVYf`Gdi fYb_YbbnY]WX bi b[
VYk YfhYh`k YfXYb " 8 Ya [Y[YbØVYf`Yf[]Vh`g]WX `Zof`DfcXi _hY`c\`bY
VYgcbXYfY `N]Y`[fi ddY`_Y]bY `f]g]_cVY[fØbXYh`9bhgWX Y]Xi b[`Zof
Gdi fYb_YbbnY]WX bi b[`J`a Y\`f`gh`ni `VYzofWX hYbzk`XUgg
YI nYgg]j Y`Gdi fYbj Yfa Y]Xi b[`]b `DfcXi _hYb`c\`bY`F]g]_c[fi ddY`ni

Y]bYa 'd\mg]c`c[]gW Ya 'Hc`YfUb nj Yf'i gh'VY]XYf'5``[Ya Y]b\Y]h
Z\fh'k cXi fW X]Y J YfVfY]hi b['j cb'5``Yf[]Yb'gc[Uf'[YZofXYfh
k]fX"':b XYf'GWk Y]n'\Uh'g]W gY]h'ØVYf'%'':U\fYb 'ZØf
J YfgW Yddi b[Yb 'Y]b'; fYbnk Yfh'j cb'\$%': VYk A\fh'']b XYf'9I
V]XYh'X]Y G]W hVUf_Y]h'j cb'5``Yf[YbfYghYb 'X]Y Gcf[ZU'hg[fYbnY"

J YfVfUi W Yfd Yfgd Y_h]j Yb ']a
@YVYbga]hhY`gY_hcf. '9fk Ufhi b[Yb 'i bX
9b hh'Ai gW i b[Yb

Ni a '5VgW 'i gg'\UVYb 'H\YfYgU'6Ui Yf'i bX'6]f[]h'6YW_ 'j ca 'J?=fU YfY]b 'ZØf?cbgi a YbhYb]bZcfa Uh]cb'ØVYf'X]Y 'G]W h k Y]gY'XYf
?cbgi a YbhYb 'VYf]W hYh'6Y]XYb '9bh k]W_ 'i b[Yb 'ni '9fk Ufhi b[Yb
i bX '9bh'Ai gW i b[Yb 'gh'U_hi Y``'X]Y':bZUh]cbgYb h k]W_ 'i b[
XYi h]W 'gdØfVUf"':Ui dhh'Ya Yb 'VY]?cbgi a YbhYbUbZfU[Yb 'i bX
!VYgW k YfXYb 'g]bX 'A c[Y'dUW_i b[Yb 'fG\ f]b_ZUh]cb'k]Y 'Ui W
F YnYdhi fAbXYfi b[Yb 'fG_]a dZUh]cb'8]Y '6YXYi hi b['j cb
@YVYbga]hhY`hYghg'k]fX 'U'g'ni bY\ a YbX 'Ya dZ bXYb'z'X]Y 'XUni
bØh][Yb 'A U» gh'AVY 'g]bX 'a]hi b hYf'gW k]Yf]["

I a 'VY]XYf'6Yk Yfhi b['j cb '@YVYbga]hhY`b ']b 'J Yf['Y]W ghYghg
Ui W '[Ygi bX\ Y]h]W Y '5gdY_hY 'a]hY]bV]bXYb 'ni '_ØbbYb'z'k]fX
j ca 'J?=bYVYb 'XYa 'B\fk YfhdfcZ' 'B i hf]GWfY 'Ui W 'XYf
J YfUfVY]hi b[g[fUX 'BCJ 5!GWfY '\YfUb[Ync[Yb''8]YgYf'hY]'h
@YVYbga]hhY ``bUW 'J YfUfVY]hi b[g[fUX ']b ' ('Ghi ZYb'z'k cVY]
\cW j YfUfVY]hYhY 'DfcXi _hY 'fI 'hfUDfcW ggYX: ccXg ' 'D: 'Ua
gW 'YWW hYghYb 'VYk YfhYh'k YfXYb ''5bXfYUg'GW a Ø'nYf'ghY ``hY 'ja
5bgW 'i gg'X]Y '<]b hYf[fØbXY 'XYf 'B\fk YfhYfa]hhi b['XUf'i bX
i b hYfghf]W 'XYfYb ']bX]_Uh]j Y '5i ggU[Y_fUZh''5i W 'gY 'X]Y
9fa]hhi b['XYg 'J YfUfVY]hi b[g[fUXYg 'Y]bYg '@YVYbga]hhY`g 'Ub\UbX
XYf'6YhFUW hi b['XYf 'XY_Uf]YfhYb 'Ni hUhYb 'ni f'd\mg]c`c[]gW Yb
6Yk Yfhi b['j cb 'DfcXi _hYb '_Ui a '[YY][bYh"

6Ygi WX Yb 'G]Y i bg'Ui Z. 'Z Y]gWX i bXWc "Uh