

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

Quality Austria und SAICON veranstalteten die „Lebensmittel.Recht.Up2Date“ Tagung, bei der Experten aus dem Lebensmittelsektor, 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 Lebensmittelsektor sowie deren rechtliche Auswirkungen.



v.l.: Birgit Beck und Theresa Bauer, Verein für Konsumenteninformation (VKI),
Wolfgang Leger-Hillebrand, Prokurist Branchenmanagement Lebensmittelsicherheit
Quality Austria(©Anna Rauchenberger)

5a '%%"C_hcVYf'&\$&' 'k i fXY'ja 'K]YbYf'5fYg'Hck Yf'YfbYi h'X]Y
HU[i b[' @YVYbga]hhY'"F YW h'I d&8 UhY 'j cb'E i U`]hm'5i ghf]U
i bX'G5=7C B'j YfUbghU`hYh"; i h'VYgi W h'j cb'J YfhfYhYfb'XYg
@YVYbga]hhY`gY_hc fgž'6Y\ÖfXYbž'6Y[i hUW h'i b[ž'A]b]ghYf]Ybž

đ gh]n'i bX`F YW\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`fYW\h`X]g_i h]Yfh`i bX
VY`Yi W\hYh`8i fW\`X]Y`j YfUbghU`hi b[``Y]hYhY`XYf`GUW\j YfghAbX][Y
5bXfYUg`GWa Ò`nYf"

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

8]Y`FY]\Y`Ub`J cfhfÅ[Yb`k i fXY`j cb`F YW\hgUbK U`h`A Uf_i g`; fi VY
a]h`Y]bYa ` , VYfV`]W_`ni f`F YW\hgdFYW\i b[`YfÒZbYh`8]YgY`k Uf
_Øfn`]W\`[YdfÅ[hij cb`8]g_i gg]cbYb`fi bX`i a `X]Y`?YbbnY]W\bi b[
j cb`@YVYbga]hhY`b`k]Y`VY]gd]Y`gk Y]gY`Y]bY`XUg`; Yk]W\h
Yf[ÅbnYbXY`GhØW_nU\`Ub[UVY`VY]`GØ»k UfYbdUW_i b[Yb`cXYf`X]Y
5b[UVY`j cb`5i ghUi gW\ni hUhYb`Ui ZXYf`J cfXYf!`cXYf`F ØW_gY]hY"

9f`\cV`Ui W\`Y]bY`ZØf`8Yi hgW\`UbX`k]W\h][Y`9bhgW\Y]Xi b[`ni a
H\Ya U` GYdUfUhcFYbZY]gW\ `Yfj cfž`VY]`XYf`Y]bY`ZfØ\YfY
9]bghi Ž b[`VY]<Ø\bYfZY]gW\`k]YXYf`fØW_[Åb[][`]Ya UW\h`k i fXY
`a]h`YbghdfYW\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
fP`YbbnY]W\bi b[g!Ł`ŸbXYfi b[Yb`a]h`XYb`6Ui ghY]bYb
BÅ\fk YfhUa dY`ž<U`hVuf_Y]hgUb[UVYbž<Yf_i bZh`g_YbbnY]W\bi b[
i bX`BÅ\fk YfhdfcZ`Y`bcW\`j cb`Y]bYf`Z]bU`Yb`5Vgh]a a i b[`k Y]h
YbhZYfbh`gY]bYf`9]bgW\Åhni b[`bUW\`]gh`a]h`Y]bYf`9bhgW\Y]Xi b[
XUni `]b`X]YgYf`9I !DYf]cXY`b]W\h`a Y\`f`ni `fYW\bYb"

GW\cb`gY]h`Y]b][Yb`A cbUhYb`]gh`]b`8Yi hgW\`UbX`a]hh`Yfk Y`]Y`XUg
@]YZYf_YhhYbgcf[ZU`hg[YgYhn`]b`?fUZž`XYf`9fZU\fi b[gVYf]W\h`j cb
A Uf_i g`; fi VY`\]Yfni `k Uf`ØVYffUgW\YbX``8U`XUg`; YgYhn`]b`YfghYf
@]b]Y`Y]bY` 6Ya Ø\YbgdZ]W\h`j cfg]Y\hž`k]fX`X]Y`_ca a YbXY
9i fcdÅ]gW\Y`@]YZYf_YhhYbf]W\h`]b]Y`f7G888Ł`j Yfa i h]W\`k Y]h
k Yb][Yf`XfUgh]gW\`U`g`VYZØfW\hYh"

F YW\hgdFYW\i b[`i bX
@YVYbga]hhY`ØVYfk UW\i b[.`9]bV`]W_Y`i bX

< YfUi gZcfXYfi b[Yb

hYfYggUbhY`9]bV`jW_Y`]b`X]Y`<YfUi gZcfXYfi b[Yb`XYf`Ua`h`jWXYb
VYfk UWxi b[`nY][hY`I`f]W`6i gW`j ca`@`@6UmYfb``9]b
gdUbbYbXYf`GWk Yfdi b_h]b`XYf`VYfk UWxi b[`k UfYb`@]ghYf]Yb
VY]`dZUbni`jWXYb`@YVYbga`jhhY`b`VYX]b[h`Xi fW`<m[]YbYXYZn]hY
]b`XYf`Df]a`ÀfdfcXi`_h]cb`i bX`VY]a`K UgWXYb`i bX`GWbY]XYb``k Ug
ni`f`5i gUfVY]hi b[`Y]bYg`Yb hgdYfWXYbXYb`@Y]hZUXYbg`ZØf
dZUbni`jWXY`F c`_cgh`ZØ`fhY``K`Y]hYfY`GWk Yfdi b_hY`gYhnhY`XUg
@`@6UmYfb`VY]`gc[YbUbbhYb`I`bj YfdUW_h`ÀXYb`i bX`Ui ZX]Y
?cbhfc``Y`j cb`Bi hf]GWcfY`!5a dY`b`VY]XYg`a`jhi bUi Z`À``[Yb
9f[YVb]ggYb``Ni`f: fØ`Yf_Ybbi b[`j cb`@YVYbga`jhhY`VYhfi [
k YfXYb`a`jhhYfk 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`jYfh`X]Y`5i Zg]W`h`X]Y
DfcVYbn]Y\i b[`i bX`?cbhfc``Y``Gc`_ØbbYb`bY[Uh]j`Y
9b`hk`jW`i b[Yb`ZfØ`Yf`Y]b[YX`Àa`a`h`k YfXYb``6YgcbXYfY
6YUW`hi b[`j YfX]Ybh`Y]b: cfgWxi b[gdfc`Y`_h`ni`f`?Ø`_YhhY``I`a`X]Y
F`Y`Y`j`Ubni`j`cb`I`bhYfVfYWxi 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`ÀW`h]WXYb`5i Zk UbXYg`Y]b][Y`J`fY`]b`5bgdfi W`bY`a`Yb
k`j`fX"

@YVYbga`jhhY`fYW`h`i bX`?`a`Uk UbXY`.

5i gk`j`f`_i b[Yb`Ui Z`X]Y`DfcXi`_hk YfVi b[

A`j`h`K`YfbYf`GWk Ufna`Ubb`_cbbhY`Y]b`F`jW`hYf`XYg`@`J`k`;
B]YXYfØghYffY]W`[`Yk`cbbYb`k`YfXYbž`XYf`]b`gY]bYa`6Y]hfU[`X]Y
gWk`jYf][Y: fU[Y`XYg`Gcf[ZU`hga`U»ghUVYg`]a
`YVYbga`jhhY`fYW`h]WXYb`J`Yfk U`hi b[`gj`YfZU`fYb`]bhYbg]]
VY`Yi W`hYhY``5i g[Y`YbX`j`cb`XYf`gdYn]Y`Yb`ØghYffY]W`jgWXYb
J`Yfk U`hi b[`gfYW`hg`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`\Uh`XYf`ØghYffY]W`jgWXY`J`k`;<
Y]bYb`U`g`i`bYffY]W`VUf`Ub[YgY`YbYb`5bgdfi W`Ub`XUg
i`bhYfbY`a`Yf]gWXY`?cbhfc``gmghYa`Yb`hk`jW_Y`h``8]Y`XUVY]
Ui`ZhYhYbXY`@ØW_Y`_ØbbhY`Xi fW`NYfh]Zn]Yfi b[Yb`ni`a`]bXYgh

hY]`k Y]gY[YgW`cggYb`k YfXYb"8Uni`Yf`Ai hYfhY`5bXfYUg
GWa`OnYf`j b`8cddY`W`bZ`fYbW`a`j hXYa`JcfhfU[YbXYb`X]Y
; fi bX`U[Yb`XYg`NYfh]Z]n]Yfi b[ggmghYa`g"

8Yf`6Y[f]ZZ`?`]a`U`j]gh`a`cXYfbž`k Ug`g]W`Ui`W`Ub`XYf
DfcXi`_hk`YfVi`b[`i`bX`XYb`XUa`j hY]b`Yf[Y`YbXYb
; Yf]W`hgYb`hgW`Y]Xi`b[Yb`ni`i`b`Ui`hYfYa`K`YhVYk`YfV`a`j hYfk`Y]Y
XYi`h]W`b]YXYfgW`A[h"8UbYVYb`k YfXYb`X]Y[Yd`UbhYb
FYW`hgU`hY`XYf`9I`ni`i`fY`Ybk`Ug`b[`i`bX`I`a`k`Y`hUi`ggU[Yb`[fc»Y
YbXYfi`b[Yb`VYk`j f`Ybž`k`jY`FYW`hgUb`k`U`h`A`Ufh]b`Dfc`Ug`U!
A`UfW`f]YX`ni`Yf`Yb`bYb`[UV`Ni`a`Y]bYb`k`j fX`Yg`Y]Yf`j`cb`8f]hYb
VYgW`Y]b][hY`BUW`k`Y]gY`XYf`hUhg`W`j]W`Yb`?`]a`U`Y]gh`b[
VfUi`W`Ybž`k`cVY]X]Y`6YnY]W`bi`b[`K`U`XgW`i`hn`_Y]bYf`Y]
6YXYi`hi`b[`a`Y`f`UVYb`k`j fX`Ni`a`UbXYfYb`k`j fX`X]Y`GW`k`UfnY
@]ghY`a`j hY]bYf`FY]Y`j`cb`_ØbZ][`dYf`gY`j`YfVchYbYb
K`YfVYUi`ggU[Yb`Yf[`Abnh`k`YfXYbž`k`Ug`XYb`Gd]Y`fUi`a`XYi`h]W`
Y]bgW`fAb`Yb`k`j fX"

5`Yf[YbY`i`bX`Gdi`fYb`_Yb`bnY]W`bi`b[`.`9]bY
k`j]W`h][Y`,`VYf`Y[i`b[`]a`@YVYbga`j hY`gY`_hcf

5bXfYUg`GWa`OnYf`j`cb`G5⇒CB`7cbgi`h]b[`VYhcbhY`j]b`gY]bYa
JcfhfU[`ni`a`H`Y`a`U`5`Yf[YbYž`XUgg`VY]`DfcXi`_hYb`a`j h
Gdi`fYb`_Yb`bnY]W`bi`b[`Y]bY`6Y]`cfni`[i`b[`Xi`fW`Y`a`dZ]bX`]W`Y
JYfVfUi`W`Yf`ni`Yfk`UfhYb`j]gh"8U`Yf`a`i`gg`Y]bY`XYfUfh][Y
Gdi`fYb`_Yb`bnY]W`bi`b[`Ui`W`U`Y`5`Yf[YbY`Yk`Y]`g`ØVYf`X]Y
[YgUa`hY`@YVYbga`j hY`_YhY`VYfØW_g]W`h][Ybž`k`Ug`XYf`≡`G`J`
Ui`W`j]b`Yb`hgd`fYW`YbXYb`Jcf[UVYb`Zc`fa`i`j]Yfh`Uh"8]Yg`[`j`h
]bgVYgcbXYfY`ZØf`DfcXi`_hYž`X]Y`gdYn]Y`ZØf`Ya`dZ]bX`]W`Y
JYfVfUi`W`Yf`Ya`dZc`Yb`k`YfXYb`k`jY`ni`a`6Y]gd]Y`
DgYi`XcW`fYU`j]Yb`ZØf[`i`hYbgYbg]h]j`Y`DYfgcbYb"

8YfUfh][Y`9a`dZY`\`i`b[Yb`a`ØggYb`Yf`cVYb`i`bX`j]b`Y]bYf
F]g]_cVYhfUW`hi`b[`ni`f`9b`hgW`Y]Xi`b[`ØVYf`Gdi`fYb`_Yb`bnY]W`bi`b[
VYk`YfhY`k`YfXYb"8Ya`[Y[YbØVYf`Yf[]Vh`g]W`ZØf`DfcXi`_hY`c`bY
VYgcbXYfY`N]Y[fi`ddY`_Y]bY`f]g]_cVY[fØbXYhY`9b`hgW`Y]Xi`b[`ZØf
Gdi`fYb`_Yb`bnY]W`bi`b["`J]Y`a`Y`f`j]gh`ni`VYZØfW`hYbž`XUgg
YI`nYgg]j`Y`Gdi`fYb]`Yfa`Y]Xi`b[`j]b`DfcXi`_hYb`c`bY`F]g]_c[fi`ddY`ni

Y]bYa`d\mg]c`c[]gW\Ya`Hc`YfUbnj Yf`i gh`VY]`XYf`5``[Ya Y]b\Y]h
Z0\fhž`k cXi fW\`X]Y`J YfVfY]hi b[`j cb`5``Yf[]Yb`gc[Uf`[YZ0fXYfh
k]fX```b`XYf`GW\k Y]n`\Uh`g]W\`gY]h`0VYf`%\$`đ\`fYb`Z0f
J YfgW\`Yddi b[Yb`Y]b` ; fYbnk Yfh`j cb`\$ž%a` `VYk Å\fhž`]b`XYf`9I
V]`XYh`X]Y`G]W\hVUf`_Y]h`j cb`5``Yf[Yb`fYghYb`X]Y`Gcf[ZU`hg[fYbnY`"

J YfVfUi W\ YfdYfgdY`_h]j Yb`]a

@YVYbga]hhY`gY`_hcf.`9fk Ufhi b[Yb`i bX

9bhhÅi 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`Z0f`?cbgi a YbhYb]bZcfa Uh]cbŁ`0VYf`X]Y`G]W\hk Y]gY`XYf
?cbgi a YbhYb`VYf]W\hYh``6Y]`XYb`9bhk]W`_i b[Yb`ni`9fk Ufhi b[Yb
i bX`9bhhÅi gW\i b[Yb`]gh`U`_hi Y``X]Y`đZUh]cbgYbhk]W`_i b[
XYi h`]W\`gd0fVUf``<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]cbŁ`k]Y`Ui W\
FYnYdhi fÅbXYfi b[Yb`fG`_ja dZUh]cbŁ``8]Y`6YXYi hi b[`j cb
@YVYbga]hhY`hYghg`k]fX`U`g`ni bY\`a YbX`Ya dZi bXYbž`X]Y`XUni
b0h][Yb`A U» ghÅVY`g]bX`a]hi bhYf`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`_0bbYbž`k]fX
j ca`J? =bYVYb`XYa`BÅ\fk YfhdfcZ]`Bi hf]GWŁfY`Ui W\`XYf
J YfUfVY]hi b[g[fUX`BCJ 5!GWŁfY`\YfUb[Ync[Yb``8]YgYf`hY]`h
@YVYbga]hhY``bUW\`J YfUfVY]hi b[g[fUX`]b`(`Ghi ZYbž`k cVY]
\cW\j YfUfVY]hYhY`DfcXi`_hY`fi`hfUDfcW\ggYX: ccXg`i`I D: Ł`Ua
gW\`YW\hYghYb`VYk YfhYh`k YfXYb``5bXfYUg`GW\`a 0`nYf`ghY``hY`]a
5bgW\`i gg`X]Y`<]bhYf[f0bXY`XYf`BÅ\fk YfhYfa]hhi b[`XUf`i bX
i bhYfghf]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 W\Yb`G]Y`i bg`Ui Z.`ZY]gW\i bXWc"Uh