

Germany



Bureaucracy vs. Science

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Since the eighties, scientific projects exist in Germany which concentrate on the cultivation of *stevia rebaudiana*. They are financed by subsidies of the European Union. The University of Hohenheim is the centre of these research projects. The European Union assigned some scientists of this university to examine the potentials of the cultivation of stevia plants in Spain. Moreover, the confederation funded different research projects conducted by Dr. Udo Kienle of the faculty of agricultural sciences. Mister Kienle has engaged in stevia research since the beginning of the eighties when he learned about the plant by coincidence. More recently, he has tried to grow stevia plants on a small field in southern Germany and has discovered that they thrive and prosper very well under European climate conditions. To some extent, he has managed to grow plants with a higher level of sweetness as in comparable plants from Paraguay.¹

After his success in southern Germany, Kienle tried to replicate his experiments in southern Spain. He published the results of his examinations in a comparative study.² He came to the conclusion that the cultivation of stevia in Germany and Spain requires almost no need to cut back in comparison to the cultivation in Paraguay. In fact, there is the possibility, to some extent, to reach better crop results.

From 1998 to 2002, a team of researchers led by Professor Thomas Jungbluth (the dean of the faculty of agricultural sciences) and Doctor Kienle conducted another project in southern Spain. It was also funded by the European Union and it focussed on the acclimatisation of *Stevia rebaudiana* for southern European areas. According to off-the-record sources, the goal of the European Union was to create a cultivation alternative for its tobacco farmers to save some of the high subsidies they receive. The official results of the southern Spain study were shut away by the European Union.³ While he worked on the research project, Doctor Kienle refined the process of cultivation and subsequent treatment of the stevia plant so that it became marketable with regard to cultivation techniques and in procedural terms.⁴

Moreover, medical and biochemical researches on the stevia plant were conducted in

1 Kienle, U. [1988]

2 Kienle, U. [1993]

3 Schranz, G. [2007]

4 Klebs, F. [2004]

Germany. For example, in the mid-nineties a physician named Johann Christian Huber tried to examine the influence of stevioside and acesulfame K on the human body. Acesulfame K is a synthetic sweetener which became legalized as the food additive E-50 in the European Union in 1990. One main focus of the study was an examination on the impact of stevia on the blood glucose level and the insulin level. The examination showed that there is no influence of stevioside, stevia extract or stevia tea on either of them.⁵

Although the European Union conducted many studies which formally proved the innocuousness of stevia, the German department of risk assessment (BfR) decided that *Stevia rebaudiana* has not been examined enough. In April 2003, the functionaries wrote "according to act No. 258/97 (EG) on novelty food and novelty food additives, we cannot approve the so far filed applications on legalisation of stevioside as a food additive or on marketing *Stevia rebaudiana* and components of that plant, since the existing data is not sufficient to judge the innocuousness on human health[...] Consequentially, neither the sweetener stevioside nor the plant or components of the plant are to be legalised as food or food additives in the European Union."⁶

With this decision, the department of risk assessment once again prohibited the distribution of stevia as a food component. After the Joint FAO/WHO Expert Committee on Food Additives (JECFA) defined an acceptable daily intake (ADI) of steviol glycosides in the amount of up to 2 milligrammes per kilogramme body weight⁷, scientists all over Europe became euphoric. Hope was raised that the European Union would follow the JECFA recommendation shortly.⁸ But the departments of the confederation still insisted that more studies were needed. The European Union approved the use of stevia and its components as a food additive for animal food in 2005.⁹

Furthermore, there was a stevia related lawsuit in Bavaria in 2004. There, a sales woman sued the state for the prohibition of stevia sale because she had already sold stevia tea before the Novelty Food Act came into effect. She argued that her past sales were a reason stevia could not be handled as a novelty food. The administration court of Bavaria decided in her favour because she proved that she had already sold significant amounts of stevia tea prior to 1997. The court explained that this meant that "her food is no novelty

5 Huber, J. C. [1995]

6 Bundesinstitut für Risikobewertung (BfR) [2003]

7 JECFA [2006]

8 Klebs, F. [2004]

9 EUSTAS [2006]

food", so stevia could not be affected by the Novelty Food Act.¹⁰ Later, the Free State of Bavaria appealed the decision.

¹⁰ Bayerisches Verwaltungsgericht München [2004]

Bibliography

- Bayerisches Verwaltungsgericht München [2004]: verdict, 13rd May 2004 (M 4 K 03.4528)
- Bundesinstitut für Risikobewertung (BfR) [2003]: "Süße und aromatische Blätter von Stevia rebaudiana und dem Chinesischen Brombeerstrauch", Berlin, 2003
- EUSTAS [2006]: "Oft gestellte Fragen und deren Antworten", FAQ at the official EUSTAS homepage, URL: http://www.eustas.org/ger/faqs_ger.htm (accessed on 1st September 2009)
- Huber, Johann Christian [1995]: "Der Einfluß der Süßstoffe Acesulfam-K und Steviosid auf die Sekretion gastrointestinaler Hormone beim Menschen", Ulm, 1995
- JECFA [2006]: "Safety evaluation of certain food additives", Geneva, 2006
- Kienle, Udo [1988]: Interview, in: Stuttgarter Zeitung, 13rd April 1988
- Kienle, Udo [1993]: "Einfluss von Bewässerung und Schnittfolge auf den Ertrag von Stevia rebaudiana in Südspanien", Göttingen, 1993
- Klebs, Florian [2004]: "Gesünder als jedes Süßungsmittel: Hohenheimer Süßstoff-Pflanze reif für die EU-Zulassung", Stuttgart, 2004
- Schranz, Günther [2007]: "Die Stevia Story - oder wer bestimmt über das Grundrecht auf Gesundheit?!", Burgenland, 2007