

# NewsLetter



## Magnesium L-Threonate Novel food authorisation

The EU Commission has authorised Magnesium L-Threonate as a novel food for use in food supplements for adults, excluding pregnant and lactating women.

North American ingredient supplier AIDP and its licensee ThreoTech have exclusive use of the authorisation for five years. During this time, only ThreoTech and its sublicensees are authorised to market magnesium L-Threonate in the EU.

An application by AIDP for novel food authorisation for Magnesium L-Threonate in Great Britain is currently being considered by the Food Standards Agency and is likely, subject to public consultation, to be approved

### How will this affect businesses?

Magnesium L-Threonate has been used extensively as an ingredient in food supplements for some time, albeit unlawfully.

Whilst local authorities have been provided with enhanced enforcement powers to remove unauthorised novel foods from the market, there is little evidence of any such action being taken.

However, now that AIDP have the exclusivity rights for the novel food authorisation, it is likely that they will seek to enforce these rights themselves through Civil action. They could, for example, issue "cease and desist" letters to anyone placing Magnesium L-Threonate on the market.

Local authorities in England, may also use "Stop Notices" where they find unauthorised use of Magnesium L-Threonate on the market.

So, whilst some manufacturers of food supplements will be pleased to see the novel food authorisation of Magnesium L-Threonate, failure to use the AIDP licenced product could result in both civil action by AIDP and formal enforcement from local authorities.

### More information

- [Commission Implementing Regulation \(EU\) 2024/2694](#)
- [FSA Consultation on Magnesium L-Threonate](#)

Relevant ABC Food Law resources:

Webinars:

- Novel Foods
- Food supplements

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