

Mighty Baobab Ltd
Bostall Lodge
Bostall Heath
London
SE2 OAT
United Kingdom

August 12th, 2010

RE: Substantial Equivalence of Mighty Baobab Ltd Baobab Dried Fruit Pulp

Dear Sir,

I am contacting you in regard to the application for a substantial equivalence opinion under *Article 5* of the novel food Regulation EC No. 258/97. The proposal is to use baobab dried fruit pulp powder as an ingredient in a range of food products based on its substantial equivalence to baobab dried fruit pulp already authorised as a novel food ingredient in the EU by Commission Decision 2008/575/EC.

Based on the information provided, the Food Safety Authority of Ireland (FSAI) is of the opinion that baobab dried fruit pulp powder produced by Mighty Baobab Ltd. meets the criteria set out in *Article 3.4* of the novel food Regulation and is therefore substantially equivalent to the EU- authorised baobab dried fruit pulp in terms of its composition, nutritional value, metabolism, intended use and level of undesirable substances. This opinion is based on the fact that the novel ingredient is derived from the same baobab plant (*Adansonia digitata*) using a process similar to that for the EU- authorised product. Any minor compositional or nutritional variations are attributable to possible environmental differences such as climate and the geography of the region where the plant grows, but could also be due to natural variation that occurs within the plant species. The original applicant (Phyto Trade Africa) requested permission to use this novel ingredient in smoothie drinks and cereal bars, however the Commission Decision authorising baobab fruit pulp (2008/575/EC) does not stipulate restricted use of this novel ingredient in food.

If you are satisfied with this opinion, you should notify the European Commission, in accordance with *Article 5* of Regulation EC No. 258/97, before you place this product on the market. In notifying the Commission you should include the information you have provided to the FSAI in support of the application for a substantial equivalence opinion. In order to avoid any confusion, I recommend that you await a response from the Commission prior to placing the product on the market.

Regards,

Dr. Pat O'Mahony
Chief Specialist Food Technology

Commission contact details:

Mr Andreas Klepsch
European Commission
DG SANCO, Unit 6
Rue de la Loi 200
B-1049, Brussels
Belgium