

# Kai Purnhagen

**Nationality:** German

 (+49) 921551010

**Date of birth:** 25/09/1980

**Gender:** Male

 **Email address:** [kai.purnhagen@uni-bayreuth.de](mailto:kai.purnhagen@uni-bayreuth.de)

 **Address:** University of Bayreuth, Campus Kulmbach Fritz-Hornschuch-Str. 13, 95326 Kulmbach (Germany)

## WORK EXPERIENCE

---

### **Full Professor and Chair Food Law, Co-Director of the Research Unit of German and European Food Law**

**University of Bayreuth** [ 2020 – Current ]

City: Kulmbach

Country: Germany

### **Visiting Positions**

Erasmus University Rotterdam, University of Lucerne, London School of Economics and Political Sciences, University of Wisconsin-Madison

### **Associate Professor (tenured) of Law**

**Wageningen University** [ 2017 – 2020 ]

City: Wageningen

Country: Netherlands

Tenured Associate Professor 1 for Law and Governance, specialisation on food law (with ius promovendi) (2020)

Tenured Associate Professor 2 for Food Law and Governance, specialisation on food law (evaluation accelerated because of excellent performance), research coordinator

### **Assistant Professor of Law**

**Wageningen University** [ 2013 – 2017 ]

City: Wageningen

Country: Netherlands

Tenure-Track Assistant Professor 1 for Law and Governance, specialisation on food law (evaluation accelerated because of excellent performance), research coordinator

### **Akademischer Rat a. Z.**

**Ludwig Maximilian University Munich** [ 2011 – 2013 ]

City: München

Country: Germany

Akademischer Rat a. Z. (Chair of European and International Business Law) and Member of the Executive Board of the Munich Risk and Insurance Center (Faculty of Economics)

## **Post-doctoral researcher**

*University of Amsterdam* [ 2011 – 2011 ]

City: Amsterdam

Country: Netherlands

## **PhD fellow and Research Assistant at the Chair for European Economic Law**

[ 2007 – 2011 ]

European University Institute Florence

## **Fellow at the University of Wisconsin-Madison Law School**

*University of Wisconsin-Madison Law School* [ 2006 – 2007 ]

Country: United States

## **EDUCATION AND TRAINING**

---

### **Ius promovendi**

*Wageningen University* [ 2020 ]

### **Ph.D.**

*European University Institute Florence* [ 2011 ]

Defense committee: Prof. Dr. Julia Black, LSE; Prof. Dr. Fabrizio Cafaggi; Prof. Dr. Hans-W. Micklitz, both EUI; Prof. Dr. Ellen Vos, Maastricht.

Stipend of the German-Academic-Exchange-Programme

Stipend of the European University Institute in Florence

### **Magister Juris Internationalis (M.J.I.)**

*Justus-Liebig-University Giessen* [ 2009 ]

Defense Committee: PD Dr. Patrick Gödicke and Prof. Dr. Thilo Marauhn (with distinction, top 1 %)

### **M.Res. (Law)**

*European University Institute* [ 2008 ]

Defense committee: Prof. Dr. Hans-W. Micklitz; Prof. Dr. Fabrizio Cafaggi

### **LL.M.**

*University of Wisconsin-Madison* [ 2007 ]

Defense committee: Prof. John Kidwell, Prof. R. Alta Charo.

Fellowship of the University of Wisconsin-Madison Law School

**Dipl.-Jur. Univ.**  
*Land Hessen* [ 2006 ]

First State Exam in Law, Dipl.-Jur. Univ. (with distinction, top 5-10 %)

## **HONOURS AND AWARDS**

---

### **Brouwer Prize for Best Master Thesis in Law**

[ 2020 ]

The Royal Dutch Society of Sciences, Supervisor of the Student who was awarded the prize

### **Science Impact Award**

Wageningen School of Social Science [ 2018 ]

### **Excellence in Education Award**

Wageningen University [ 2018 ]

Course "Global Trade Law and Risk Regulation"

### **Master Thesis Award Social Science**

Wageningen University [ 2018 ]

Co-Supervisor of the student who was awarded the prize

### **DAAD Stipend**

[ 2007 ]

PhD Studies at the EUI

### **Giessen Fellowship**

[ 2006 ]

Fellowship of the University of Wisconsin-Madison Law School

## **LANGUAGE SKILLS**

---

Mother tongue(s):

**German**

Other language(s):

**English**

**LISTENING C2 READING C2 WRITING C2**

**SPOKEN PRODUCTION C2 SPOKEN INTERACTION C2**

**Dutch**

**LISTENING A1 READING A1 WRITING A1**

**SPOKEN PRODUCTION A1 SPOKEN INTERACTION A1**

**Italian**

**LISTENING A1 READING A1 WRITING A1**

**SPOKEN PRODUCTION A1 SPOKEN INTERACTION A1**

## **PUBLICATIONS - BOOKS (SELECTION)**

---

### **Public & Private Enforcement im Lebensmittelrecht : Zusammenspiel und Spannungsfeld von behördlicher und privater Rechtsdurchsetzung**

[ 2021 ]

Frankfurt am Main : Fachmedien Recht und Wirtschaft in Deutscher Fachverlag GmbH , 2021 . - (Schriften zum Lebensmittelrecht ; 43 ) (with Möstl, Markus)

### **Maßnahmen und Sanktionen im Lebensmittelrecht**

[ 2021 ]

Frankfurt am Main : Fachmedien Recht und Wirtschaft in Deutscher Fachverlag GmbH , 2021 . - 136 S. - (Schriften zum Lebensmittelrecht ; 42 ) (with Möstl, Markus)

### **Oxford Encyclopaedia of European Union Law**

[ 2020 ]

(principal co-editor, with Laurence Gormley and Sacha Garben), Oxford University Press (Oxford) (forthcoming)

### **Ein neuer Gesellschaftsvertrag für eine nachhaltige Landwirtschaft – Wege zu einer integrativen Politik für den Agrarsektor**

[ 2019 ]

Springer Science (New York et al), in print (co-authored with Peter Feindt, Andrea Früh-Müller, Alois Heißenhuber, Claudia Pahl-Wostl, Fabian Thomas, Caroline van Behrs, Volkmar Wolters)

### **The Transformation of Economic Law**

[ 2019 ]

Hart (Oxford) (co-edited with Marta Cantero, Lucilda de Almeida, Mateja Durovic), in print.

### **EU Bioeconomy Economics and Policies**

[ 2019 ]

Palgrave Macmillan (Basingstoke) (co-edited with Lisbeth Dries, Wim Heijmans, and Justus Wesseler)

### **Europarecht**

[ 2018 ]

Jura Kompakt, C.H. Beck Munich (3rd edition)

### **Regulating and Managing Food Safety Law in the EU – A Legal-Economic Perspective**

[ 2018 ]

Springer Science (Dordrecht/Heidelberg/London/New York) 2018 (co-edited with Harry Bremmers)

### **Münchener Kommentar**

[ 2015 ]

Vor §§ 13, 14 BGB, §§ 13, 14 BGB,

Münchener Kommentar, BGB, 7th edition, C.H. Beck (Munich) (co-authored with Hans Micklitz)

### **Varieties of European Economic Law and Regulation – Liber Amicorum Hans Micklitz**

[ 2015 ]

Springer Science (Dordrecht/Heidelberg/London/New York) (co-edited with Peter Rott)

## **Towards a European Legal Culture**

[ 2014 ]

C.H. Beck/Hart/Nomos (Munich/Oxford/Baden-Baden (co-edited with Gen evieve Helleringer)

reviewed by Steven Weatherill (Oxford), 51 Common Market Law Review, 2014, 1851-1852; Eric Jayme (Heidelberg), 80 Rabels Zeitschrift f ur ausl andisches und internationales Privatrecht 2016, 191-194; Ewoud Hondius (Utrecht), Nederlands Tijdschrift voor Burgerlijk Recht, 2014; K are Lilleholt (Oslo), European Review of Private Law, 2014, 597-600; Norbert Reich (Hamburg), Maastricht Journal of European and Comparative Law, 2014; Thomas Wilhelmsson (Helsinki), European Journal of Risk Regulation, 2015, 168-170; Hugh Collins (Oxford), Review of European Contract Law, 2016.

## **Governing Nano Food: Principles-based responsive regulation**

[ 2014 ]

EFFoST Critical Reviews No. 2, Academic Press (New York) (co-authored with Bernd van der Meulen, Harry Bremmers, Leon Geyer, Nidhi Gupta, Hans Bouwmeester)

## **Europarecht**

[ 2014 ]

Jura Kompakt, C.H. Beck (Munich), 2nd edition

## **The Politics of Systematisation in EU Product Safety Regulation- Market, State, Integration, and Collectivity**

[ 2013 ]

Ius Gentium: Comparative Perspectives on Law and Justice, Springer Science (Dordrecht/Heidelberg/London/New York)

## **Europarecht**

[ 2012 ]

Jura Kompakt, C.H. Beck (Munich), 1. Edition

## **Fallbuch Europarecht**

[ 2012 ]

C.H. Beck (Munich)

## **PUBLICATIONS - BOOKS IN PREPARATION (SELECTION)**

---

### **EU Food Information Law – A Legal Commentary**

[ 2021 ]

(Editor, with Louise Fresco) Beck/Hart/Nomos (in preparation).

### **EU Food Law**

[ 2020 ]

Oxford European Union Law Library, Oxford University Press (Coauthor, with Hanna Schebesta), contracted.

### **Exceptionalism in European Union Law and Policy**

[ 2020 ]

(Co-editor, with Josephine van Zeben), Oxford University Press (contracted).

## **PUBLICATIONS - BOOK CHAPTERS (SELECTION)**

---

### **Liability of EU Member States under EU law.**

[ 2021 ]

Kahl, Wolfgang ; Weller, Marc-Philippe (Hrsg.): Climate Change Litigation : A Handbook. - München ; Oxford ; Baden-Baden : C.H.Beck ; Hart; Nomos. - S. 217-236 (with Saurer, Johannes)

### **Foreword: Effective Enforcement in the E-Food Market.**

[ 2021 ]

Plana Casado, Marie José (Hrsg.): E-FOOD : Closing the online enforcement gap in the EU Platform Economy. - Cham : Springer (with Josephine van Zeben)

### **Regulatory and Legislative Framework for Novel Foods**

[ 2021 ]

*In:* Pathania, Shivani ; Tiwari, Brijesh K. (Hrsg.): Food Formulation : Novel Ingredients and Processing Techniques. - Hoboken, NJ : Wiley Blackwell, S. 285-308

### **From Supranationality to Managing Diversity : A (Re-)New(ed) Paradigm for the Establishment of the Internal Market?**

[ 2020 ]

*in:* Internal Market 2.0, eds. Sacha Garben and Inge Govaere, Inge, Oxford: Hart (in print).

### **Nieuwe wetgeving voor een hongerige planet**

[ 2020 ]

*in:* 10 Miljard Monden, eds. Ingrid de Zwarte and Jeroen Candel, Prometheus (Amsterdam) (in print).

### **The End of Agricultural Exceptionalism in Free Movement and Competition Law after Lisbon?**

[ 2020 ]

*in:* Exceptionalism in European Union Law and Policy, eds. Kai Purnhagen und Josephine van Zeben, Oxford University Press (Oxford) (in review).

### **Entries: Health Claim, Nutrition Claim, Food Law, Food Information, Free Movement of Goods (mit Laurence Gormley), Average Consumer**

[ 2020 ]

*In:* Oxford Encyclopedia of European Union Law, eds. Laurence Gormley, Kai Purnhagen, Sacha Garben, Oxford University Press (Oxford) (accepted).

### **EU State liability law**

[ 2020 ]

*In:* Climate Change Litigation - Liability and Damages from a Comparative Perspective, Hrsg. Wolfgang Kahl und Marc-Philippe Weller, CH Beck, Hart, Nomos (Munich, Oxford, Baden-Baden) (mit Johannes Saurer) (in print).

### **Limits to Behavioural Consumer Law and Policy – The Case of EU Alcohol labelling**

[ 2020 ]

*in:* Consumer Behavioural Law and Economics, Hrsg. Klaus Mathis und Avishalom Tor, Springer Science (Dordrecht/Heidelberg/London/New York) (mit Hanna Schebesta) (in print).

## **EU Food Law, European Agriculture, Food and Rural Areas– A Historical Overview, EU Institutions and Decision Making Processes, Future Developments of the Institutional Framework**

[ 2019 ]

in: EU Bioeconomy Economics and Policies, Hrsg. Lisbeth Dries, Wim Heijmans, Kai Purnhagen and Justus Wesseler, Palgrave Macmillan (Basingstoke) (with Alan Matthews).

## **Keck is dead, long live Keck? – How the Court Tries to Avoid a Sunday Trading Saga 2.0**

[ 2019 ]

in: The Internal Market and the Future of European Integration, eds. Fabian Amtenbrink, Gareth Davies, Dimitry Kochenov, Justin Lindeboom, Cambridge University Press (Cambridge)

## **Evaluating Academic Legal Research in Germany**

[ 2018 ]

in: Evaluating Academic Legal Research in Europe, eds. Rob van Gestel and Andreas Lienhard, Edward Elgar (Cheltenham) (with Niels Petersen)

## **Who Recognizes Technical Standards in TTIP?**

[ 2018 ]

in: Institutionalisation beyond the Nation State, ed. Elaine Fahey, Springer (New York et al), 97-110.

## **Regulating and Managing Food Safety in the EU – a legal-economic perspective**

[ 2018 ]

in: Regulating and Managing Food Safety in the EU – A legal-economic analysis, eds. Harry Bremmers und Kai Purnhagen, Springer Science (Dordrecht/Heidelberg/London/New York), 1-9 (with Harry Bremmers)

## **Commanding to Nudge via the Proportionality Principle?**

[ 2018 ]

in: Regulating and Managing Food Safety in the EU – A legal-economic analysis (with Harry Bremmers), eds. Harry Bremmers und Kai Purnhagen, Springer Science (Dordrecht/Heidelberg/London/New York) 2018, 151-168 (with Ellen van Kleef)

## **The “Honey” Judgment Bablok and Others vs. Freistaat Bayern of the Court of Justice of the European Union: Implications for Co-existence**

[ 2016 ]

in: The Coexistence of Genetically Modified, Organic and Conventional Foods: Government Policies and Market Practices, eds. Nick Kalaitzandonakes, Peter Phillips, Stuart Smyth, Justus Wesseler, Springer Science (Dordrecht/Heidelberg/London/New York) 149 - 165 (with Justus Wesseler)

## **The Principle(s) of Co-existence in Europe: Social, economic and legal avenues**

[ 2016 ]

in: The Coexistence of Genetically Modified, Organic and Conventional Foods: Government Policies and Market Practices, eds. Nick Kalaitzandonakes, Peter Phillips, Stuart Smyth, Justus Wesseler, Springer Science (Dordrecht/Heidelberg/London/New York), 71-85 (with Justus Wesseler)

## **Consumer Protection Legislation**

[ 2016 ]

in: Encyclopedia of Food and Health, eds. Benjamin Caballero, Paul Finglas, Fidel Toldrá, Elsevier (Amsterdam) 2016 (with Bernd van der Meulen).

## **The Potential Use of Visual Packaging as Nudges – An Analysis on the Example of the EU Health Claims Regime**

[ 2016 ]

in: Nudging - Possibilities, Limitations and Applications in European Law and Economics, eds. Klaus Mathis und Avishalom Tor, Springer Science (Dordrecht/Heidelberg/London/New York), 197-216.

## **PUBLICATIONS - ARTICLES, REPORTS, MAJOR ANNOTATIONS AND REFEREED ONLINE PUBLICATIONS (SELECTION)**

---

### **The EU's "new EU-US agenda for global change" : Brussels Effect, Washington Effect, or Intergovernmentalism?**

[ 2021 ]

EU Law Live. (19 März 2021) . - S. 8-13.

### **Oversized Area Indications on Bonus Packs Fail to Affect Consumers' Transactional Decisions—More Experimental Evidence on the Mars Case**

[ 2021 ]

Journal of Consumer Policy

### **Lebensmittelinnovationen und deren Regulierung – Von der Angst zur Chance?**

[ 2021 ]

Lebensmittel & Recht

### **The Increasing Overlap of Agricultural, Free Movement and Competition Law in the EU.**

[ 2021 ]

European Law Review. Bd. 46 Heft 1 . - S. 20-36.

### **Europe's Farm to Fork Strategy and Its Commitment to Biotechnology and Organic Farming : Conflicting or Complementary Goals?**

[ 2021 ]

Trends in Plant Science. Bd. 26

(With Clemens, Stephan; Eriksson, Dennis; Fresco, Louise; Tosun, Jale; Qaim, Matin; Visser, Richard; Weber, Andreas; Wesseler, Justus & Zilberman, David)

### **You want it extra CRISPERY? : Legal Disruption Through New Plant Breeding Technologies in the EU.**

[ 2021 ]

Yearbook of European Law

### **Public und Private Enforcement im Lebensmittelrecht.**

[ 2021 ]

Lebensmittel & Recht. (2021) . - S. 155-162.

### **Endlich bessere Handelsbeziehungen zu den USA? : Der Kommissionsvorschlag einer neuen EU-US-Agenda für den globalen Wandel.**

[ 2021 ]

Lebensmittel & Recht. (2021) . - S. 73.



## **Innovationen im Lebensmittelrecht**

[ 2020 ]

Spektrum. Bd. 16 (November 2020) Heft 2 . - S. 6-11.

## **Is the Covid-19 Pandemic a Game Changer in GMO Regulation?**

[ 2020 ]

EuroChoices. Bd. 19 Heft 3 . - S. 49-52. (With Justus Wesseler)

## **How to Design Genetically Modified Food Labeling Regulation in Indonesia : Taking Science, Trade Law and Indonesian Demands Seriously**

[ 2020 ]

Indonesian law Review (with Dasep Wahidin, in press).

## **Beyond Food Safety – EU Food Information Standards as a Facilitator of Political Consumerism and International Law Enforcement Mechanism**

[ 2020 ]

European Law Review (in press, with Josephine van Zeven, Christiane Ahlborn and Peter Oosterveer).

## **The Brussels Effect in Action: Do the EU's Standards Travel Abroad?: A Study on Control Systems for Geographical Indications in the EU and Thailand**

[ 2020 ]

Houston Journal of International Law (in press, with Verena Preusse and Liesbeth Dries).

## **EU Regulation of New Plant Breeding Technologies and Possible Economic Implications for the EU and Beyond**

[ 2020 ]

Applied Economics Perspectives and Policies (in press, with Justus Wesseler).

## **Options to Reform the European Union Legislation on GMOs**

[ 2020 ]

Trends in Biotechnology, 231-234, 349-351, 465-467 (with Dennis Eriksson; René Custers; Karin Edvardsson Björnberg; Sven Ove Hansson; Matin Qaim; Jörg Romeis; Joachim Schiemann; Stephan Schleissing; Jale Tosun; Richard Visser).

## **More Competences than You Knew? : The Web of Health Competences for European Union Action in Response to the COVID-19 Outbreak**

[ 2020 ]

European Journal of Risk Regulation, 297-306 (with Anniek de Ruijter; Mark Flear; Tamara Hervey; Alexia Herwig).

## **Island or Ocean: Empirical Evidence on the Average Consumer Concept in the UCPD**

[ 2020 ]

European Review of Private Law, 293-310 (with Hanna Schebesta).

## **How to govern the Union's diversity**

[ 2019 ]

56 Common Market Law Review, 1379-1396.

**The EU regulatory approach to directed mutagenesis in an international context**

[ 2019 ]

New Phytologist, 1673-1684 (with Dennis Eriksson et al)

**Governing nature conservation in political “hotbeds” – A contractual approach**

[ 2019 ]

25 Hastings Environmental Law Journal, 143 (with Taufik Haryanto)

**Unfair Trading Practices in the Food Supply Chain: Regulating Right?**

[ 2019 ]

European Journal of Risk Regulation, First View (with Hanna Schebesta, Tom Verdonk and Bert Keirsbilck)

**Maximum vs. Minimum Harmonization: What to expect from the institutional and legal battles in the EU on Gene editing technologies?**

[ 2019 ]

Pest Management Science, 2310-2315 (with Justus Wesseler).

**EU court casts new plant breeding techniques into regulatory limbo**

[ 2018 ]

Nature Biotechnology, 799-800 (2018) (with Esther Kok et al.)

**The European Union Court’s Advocate General’s Opinion and new plant breeding techniques**

[ 2018 ]

Nature Biotechnology (with Esther Kok et al.), 573-575.

**Improving the Level of Food Safety and Market Access in Developing Countries**

[ 2018 ]

Heliyon (with Dasep Wahidin)

**The Essential Elements of a Risk Governance Framework for Current and Future Nanotechnologies**

[ 2018 ]

Risk Analysis, 1321-1331 (with Vicky Stone et al.).

**Is the ‘Behavioural Turn’ in Consumer Law Taken by Dutch Courts?**

[ 2017 ]

Tijdschrift voor Consumentenrecht & handelspraktijken, 272-278 (with Hanna Schebesta)

**Principles-based regulation - blueprint for a “New Approach” for the internal agricultural market**

[ 2017 ]

European Law Review, 722-736 (with Peter Feindt)

**Can Bonus Packs Mislead Consumers? A Behavioural Law and Economics Assessment of the ECJ’s Mars Judgment and its Potential Impact on the “Average Consumer” in Internal Market Law**

[ 2017 ]

Journal of Consumer Policy 217-234 (with Erica van Herpen)

### **Developing an FSO/ALOP concept for application in developing countries**

[ 2017 ]

European Journal of Risk Regulation, 403-413 (with Dasep Wahidin)

### **A Case moving at the Frontiers of Market Access, Freedom of Goods, the Common Agricultural Policy and Science in Court - Reflections on Scotch Whisky Association**

[ 2017 ]

European Law Review, 420-433 (with Hanna Schebesta)

### **The behaviour of the average consumer: A little less normativity and a little more reality in CJEU's case law? Reflections on Teekanne**

[ 2016 ]

European Law Review, 590-598 (with Hanna Schebesta)

### **When life gives you lemons: The battle on the correct interpretation of data in the citrus black spot disease between the EU and South Africa in WTO law according to the SPS agreement**

[ 2016 ]

Trade, Law and Development, 29-62 (with Dominique Sinopoli)

### **Reversed Harmonization or Horizontalization of EU Standards? Or: Does WTO Law Facilitate or Constrain the Brussels Effect?**

[ 2016 ]

Wisconsin International Law Journal, 92-119 (with Dominique Sinopoli)

### **Performativity in Action: How risk communication interacts in risk regulation**

[ 2016 ]

European Journal of Risk Regulation 213 – 217 (with Marijn Poortvliet and Martijn Duineveld)

### **Mapping Private Regulation – Classification, Market Access and Market Closure Policy and Law's Response**

[ 2015 ]

Journal of World Trade, 309-324

### **The EU's Precautionary Principle in Food Law is an Information Tool!**

[ 2015 ]

European Business Law Review, 903-921

### **Better Regulatory Impact Assessment: Making Behavioural Insights Work in the Commission's New Better Regulation Strategy**

[ 2015 ]

European Journal of Risk Regulation, 361-368 (with Peter Feindt)

### **The Behavioural Law and Economics of the Precautionary Principle in the EU and its Impact on Internal Market Regulation**

[ 2014 ]

in: Cass Sunstein and Lucia Reisch (Hrsg.), Special Issue "Behavioural Economics, Environmental Policy and the Consumer", Journal of Consumer Policy, 453-464

**Multi-stakeholder Responses to the European Health Claims Requirements**

[ 2013 ]

Journal on Chain and Network Science, 161-172 (with Harry Bremmers and Bernd van der Meulen)

**Beyond Threats to Health: May Consumers' Interest in Safety Trump Fundamental Freedoms in Information on Foodstuffs? Reflections on Berger vs. Freistaat Bayern**

[ 2013 ]

European Law Review, 711-719