

**To the Chair of the Scientific Jury, appointed by
Order No. RD-22-1462 of 22 July 2026, 24 Tsar Asen
Street
4000 Plovdiv**

R E V I E W

by Assoc. Prof. Dr Maria Valkova Hristozova, Medical University of Plovdiv,
Faculty of Public Health, Department of Health Care Management, Area of higher
education 3. Social, Economic and Legal Sciences, professional direction 3.6 Law

On: Thesis for the award of the academic and scientific degree **of ‘Doctor’** in the are
of higher education 3. Social, Economic and Legal Sciences, professional direction: 3.6
Law, doctoral program *‘Administrative Law and Administrative Procedure’*

Author of the doctoral thesis: Maria Ilieva Zlatanova - PhD candidate undertaking
independent research at the Department of Public Law Sciences, Faculty of Law, Plovdiv
University ‘Paisii Hilendarski’

Thesis topic: ‘The Administrative Law Regime Governing Food Supplements’

Supervisor: Prof. Darina Zinovieva, DSc.

Ground for submission of the opinion: Order No. RD-22-1462/22 July 2026 of the
Rector of Plovdiv University ‘Paisii Hilendarski’ and the Decision of the Academic Jury,
adopted under Minutes No. 1/23 July 2026

DEAR MEMBERS OF THE ACADEMIC JURY,

By Order No. RD-22-1462/22 July 2026 of the Rector of Plovdiv University “Paisii Hilendarski”, I have been appointed as an external member of the academic jury for the defence of a doctoral thesis on the topic: ‘The Administrative and Legal Regime Governing Food Supplements’ for the award of the academic and scientific degree of ‘**Doctor**’ in the area of higher education 3. Social, Economic and Legal Sciences, professional direction: 3.6 Law, doctoral program ‘*Administrative Law and Administrative Procedure*’.

I hereby submit this review, having been tasked by a decision of the distinguished academic jury at its first meeting (Protocol No. 1/23 July 2026) to prepare a review of the submitted doctoral thesis for the award of the academic and scientific degree ‘Doctor’ and the accompanying set of documents.

I. Brief biographical details of the doctoral candidate

Maria Ilieva Zlatanova graduated in 1996 with a degree in law from Sofia University ‘St. Kliment Ohridski’, Sofia, holding a Master’s degree in Law. She completed her secondary and high education at the elite ‘Hristo G. Danov’ Secondary School in Plovdiv. Maria Zlatanova’s professional career began as a court candidate (February 1996 - February 1997), and as an attorney-at-law at the Plovdiv Bar Association (April 1997 - March 1998). Within the judiciary, Maria Zlatanova successively held the positions of junior judge, judge at the Plovdiv District Court and judge at the Plovdiv Regional Court (March 1998 - October 2013). From 2013 to 2024, she served as Deputy President of the Administrative Court of Plovdiv, and from October 2024 to the present, she has been a judge at the same court with the rank of ‘judge at the Supreme Court of Cassation and the Supreme Administrative Court’. The experience she has gained in senior administrative roles at one of the country’s busiest courts is a clear indication that Maria Zlatanova possesses excellent organisational and managerial skills. Alongside her active judicial work, she successfully combines teaching and training activities for trainees, including under the Fulbright programme. She is fluent in English and Russian.

Maria Ilieva Zlatanova is an established lawyer with over 30 years’ total legal experience; she possesses extensive theoretical and practical experience in law, which provides her with an excellent theoretical and practical foundation for in-depth academic research.

II. General description of the submitted materials

Maria Zlatanova has submitted a complete set of documents required by the Law on the Development of Academic Staff in the Republic of Bulgaria (LDASRB), the Regulations for the Implementation of the LDASRB (RILDASRB) and the relevant Regulations of Plovdiv University 'Paisii Hilendarski'. The abstract fully reflects the main characteristics and results of the research, providing a clear understanding of the subject, objectives, tasks, methodology, relevance, scientific novelty, scientific contributions and practical significance of the research. The abstract has been translated into English, the language traditionally used in this professional field. Attached to the set of documents is a list of four publications by the author, which, together with the other materials submitted, demonstrate compliance with the minimum national requirements under Article 2b of the Law on Academic Research and Scientific Activity in the Republic of Bulgaria.

III. Relevance and significance of the topic under investigation

The submitted doctoral thesis examines an extremely important and topical subject in Bulgarian legal doctrine and practice - the regulatory framework governing the production, distribution, advertising, trade and consumption of food supplements. To the best of my knowledge, food supplements have not, to date, been the subject of in-depth, independent academic research in Bulgarian legal literature, despite the fact that for more than two decades there has been a lack of a sufficiently precise and systematic legal framework, leading to contradictory administrative and judicial practice. In view of the above, this comprehensive academic study is of **significant practical and theoretical importance** and may serve to improve the current regulatory framework. In this regard, the author clearly identifies the gaps and shortcomings in the legislation, and well-reasoned proposals *de lege ferenda* have been formulated to address them. The increasingly widespread use of food supplements in the Republic of Bulgaria and across all Member States, combined with dynamic changes in national and European law, market globalisation and e-commerce, requires the adoption of specific and adequate measures to protect the life and health of consumers, as well as to guarantee the free movement of goods - and such measures have been successfully developed and proposed in the thesis under review.

IV. General description and assessment of the doctoral thesis

The doctoral thesis presented comprises a total of 202 standard pages. The content is organised into an introduction, three chapters, a conclusion and a bibliography. The structure is logical and coherent. Relevant national and international sources have been examined,

with the research following the logic of administrative-legal analysis: from terminology and the regulatory framework, through the regime governing the production and placing on the market of food supplements, to control mechanisms, coercive administrative measures and applicable sanctions.

The introduction defines the main objective of this research as clarifying and systematising the current legal framework governing food supplements, as well as analysing the crucial question of the extent to which a balance has been achieved between consumer protection, the free movement of goods and freedom of competition, in the context of the contemporary phenomenon known as ‘food supplements’. To achieve this objective, the author formulates the relevant research tasks precisely and clearly, namely: analysing legal concepts and the relationships between them; constructing a logically consistent system from these relationships; and utilising the results to substantiate legal decisions. The implementation of these tasks is ensured through the appropriate application of general and specific methods of scientific research - the historical, comparative law and systematic methods - with particular attention paid to the case law of the Court of Justice of the European Union and national courts. The subject of this research is the legal framework governing the production, distribution, advertising, trade and consumption of food supplements. The author successfully tackles the difficult task of examining a relatively new subject of legal regulation (food supplements appeared on the market at the end of the 20th century), which requires in-depth legal knowledge, practical experience and analytical thinking. The thesis contains a number of significant academic contributions.

The first chapter of the study, entitled ‘Concepts and Regulatory Framework’, is of fundamental importance to the entire work and is characterised by **substantial academic contributions**. In this section, the author skilfully clarifies the key legal concepts in the field under analysis. **A valuable contribution** is the author’s five-component analysis of the concept of ‘food supplements’, achieved by distinguishing its main elements: food supplements are foods, which defines their generic concept (genus) and determines the applicability of the general legal regime governing foodstuffs; food supplements have a specific purpose - to supplement the normal diet, which distinguishes them from other foods in terms of their functional orientation; food supplements have a specific composition (materia) - they are concentrated sources of nutrients or ‘other substances with a nutritional or physiological effect’; food supplements have a specific form (modus) - they are offered in measured doses (capsules, tablets, powders); and a specific method of use (usus) - they are taken in small, pre-measured quantities.

An important scientific contribution is the distinction introduced between food supplements and other similar categories - foods, medicinal products, food additives, foods for specific groups and narcotic substances. Particular emphasis is placed on the criteria for distinguishing between food supplements and medicinal products, based on functional analysis, regulatory analysis and the case law of the Court of Justice of the European Union. This distinction is of key importance both for determining the applicable legal regime and for the competence of the control authorities. Other important concepts in this field are also examined, such as ‘official controls’ and ‘other official activities’ within the meaning of Regulation (EU) No 2017/625, ‘food business operator’ within the meaning of Article 3(3) of Regulation (EC) No 178/2002, as well as the definition of these terms in national legislation. The author also examines another key player in this field - the consumer, who, in the context of the topic, represents one of the factors in the search for a balance between health protection, consumer rights and the free movement of goods.

The author’s comprehensive research approach in this part of the work deserves high praise, as it establishes a solid terminological foundation and clarifies the conceptual distinctions necessary to overcome the legal uncertainty that currently exists in practice.

The comprehensive review of current case law of the Court of Justice of the European Union - for example, the landmark judgment of the General Court in joined cases T-302/21 *Aboca*, which demonstrates how the lack of precision in European delegated powers (the regulation of ‘preparations’ rather than pure ‘substances’) leads to administrative arbitrariness and a breach of legal certainty.

The systematic review and comparative legal analysis of national and European legislation on food supplements represent **a significant contribution and enrich legal doctrine**. These are complemented by the author’s well-reasoned critical analysis, which constitutes **an independent contribution in its own right**. It addresses a number of key issues regarding the legal regulation of food supplements, such as: terminological inaccuracy in Bulgarian legislation, manifested in the conflation of the concept of ‘food supplements’ with ‘food additives’, which does not correspond to the concepts of ‘food supplements’ and ‘food additives’ used in European Union law; the concept of ‘business operator’ in national law has a broader scope than the concept of ‘food business operator’ within the meaning of Regulation (EC) No 178/2002, even though both derive from the same term; the systematic classification of food supplements as a separate ‘food category’ in the national Food Act, whilst their distinction is based on intended use and form rather than on origin and composition; the lack of harmonised positive lists for substances other than vitamins and

minerals (e.g. plant extracts, amino acids) and other shortcomings in Bulgarian legislation and in European Union law. In this regard, I support the author's conclusion that precise terminology is of direct importance for the application of the law, particularly when determining the obligated parties and those subject to administrative penalties.

The comparative legal review of the regulatory framework for food supplements in countries outside the European Union (the USA, Canada, Japan, Australia and New Zealand) should also be highly commended.

Chapter Two is of fundamental importance to the subject of the research and, from a general theoretical perspective, is distinguished as a whole by **its significant academic value**. The author thoroughly and carefully examines the legal framework governing the manufacture and placing on the market of food supplements, paying particular attention to nutrition and health claims, the precautionary principle under Article 7 of Regulation (EC) No 178/2002, and the rules on labelling, presentation and advertising. In addition, the author analyses the general principles enshrined in primary EU law to which the legal regime governing food supplements is subject (the principle of a high level of health protection, the principle of the free movement of goods, the principles of legal certainty and proportionality), as well as the instruments for achieving these principles, as set out in Regulation (EC) No 178/2002. The overview of the national authorities with competence in the field of food supplements rounds off the discussion.

A significant contribution is the analysis of the authorisation regime, the procedure and the requirements regarding the qualitative and quantitative composition of food supplements under Bulgarian legislation, as well as the European institutional framework for the regulation of food supplements.

A valuable academic contribution is the study of the relationship between the regime governing health claims and the general regime for the provision of information, which establishes that Regulation (EC) No 1924/2006 operates as a special regime in relation to Regulation (EU) No 1169/2011, whilst the latter acts as a horizontal framework. This relationship has direct implications for the limits of permissible commercial communication and for the liability of economic operators.

Chapter Three is devoted to the legal regime governing enforcement mechanisms - coercive administrative measures and administrative penalties - as well as the applicable instruments under the Competition Protection Act and the Consumer Protection Act. A notable **contribution** in this part of the work is the in-depth analysis of the control mechanisms, which reveals a fragmentation of competences at national level, creating a risk of inconsistent law enforcement and a potential breach of the *ne bis in idem* principle. In

this context, the author's proposal for clearer coordination or institutional concentration of control takes on not only practical but also systemic significance, and should be supported.

The author's commentary on issues relating to unfair competition and unfair commercial practices in the food supplements sector, which are of key importance for the effective protection of consumer rights, represents **a valuable contribution**. The author also highlights the existing institutional discrepancies and overlapping competences between the food control authorities (BFSA), healthcare (the Ministry of Health) and the specialised authorities responsible for the control of narcotic substances and precursors, which creates the conditions for inconsistent administrative practice where plant extracts or prohibited substances are present in food supplements.

I fully agree with the author's conclusion that, at present, the national regulatory framework is not sufficiently precise - neither in terms of terminology nor in terms of control methods - which gives rise to legal uncertainty and hinders the uniform application of European standards.

The thesis concludes with a summary that accurately summarises the research findings. The author's proposals *de lege ferenda* for optimising the legal framework constitute **a scientific contribution**. Among these, the need stands out for a clear regulation of the types of coercive administrative measures which the authorities of the Bulgarian Food Safety Agency (BFSA) are empowered to apply, as well as for terminological harmonisation of national legislation with European Union law, in particular by replacing the term 'substances' with 'substances with a nutritional or physiological effect'. I agree with the author's recommendations, as they could help to enhance legal certainty and limit the scope for broad and contradictory interpretations of the national legal framework.

The author's other publications also contain **valuable insights and practical applications**.

No evidence of plagiarism or the unlawful use of others' copyrighted works by the author has been found, nor have any reports of plagiarism been received.

In summary, Maria Ilieva Zlatanova's doctoral thesis deserves high praise; it is distinguished by its originality and contains a number of scientific and applied scientific findings of a contributory nature.

V. Critical comments and recommendations

I have no critical comments regarding the content of the submitted doctoral thesis, the abstract and the materials attached to the application. I recommend that the author publish her research as a book, which will make the valuable scientific findings accessible to the academic and professional communities, whilst the well-reasoned proposals *de lege ferenda*

for improving the legal framework will assist the relevant national authorities in undertaking legislative changes.

VI. Conclusion

The presented doctoral thesis on the topic **‘The Administrative and Legal Regime of Food Supplements’**, prepared by **Maria Ilieva Zlatanova**, contains scientific, applied scientific and applied findings which represent an original contribution to science and meet all the requirements of the Law on the Development of Academic Staff in the Republic of Bulgaria, the Regulations for the Implementation of the Law and the relevant Regulations of Plovdiv University “Paisii Hilendarski”. The author demonstrates a high level of legal erudition, extensive practical experience in the field of administrative law and administrative procedure, and the ability to conduct independent scientific research.

In view of the above, I am confident in giving a positive assessment of the submitted doctoral thesis and propose that the distinguished academic jury award Maria Ilieva Zlatanova the academic and scientific degree of ‘Doctor’ in the area of higher education 3. Social, Economic and Legal Sciences, professional direction 3.6 Law, doctoral program ‘Administrative Law and Administrative Procedure’.

Review prepared by:

(Assoc. Prof. Dr Maria Hristozova)

23 September 2026
Plovdiv