



# **EU action to promote better understanding and use of date marking**

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EU Platform on Food Losses and Food Waste  
Subgroup on "Date marking", 20 April 2018

# Background

- Over 50% of food waste is generated at household level (FUSIONS 2016) - up to 10% of food waste is linked to date marking (ICF 2018)
- The Circular Economy Action Plan calls on the Commission to "examine ways to improve the use of date marking by actors in the food chain and its understanding by consumers, in particular 'best before' labelling"
- Date marking and its role in food waste prevention is of great interest to Member States and actors in the food value chain
- Possible impact of date marking on food waste and need for action at EU level has been raised in recent years by the Council (since 2014), European Parliament (2012/2017) and the Court of Auditors (Special report on food waste 2016).

# Date marking: promote better understanding and use



... KNOW YOUR DATES!

**"USE BY"**

informs you about

**FOOD SAFETY**

≠

**"BEST BEFORE"**

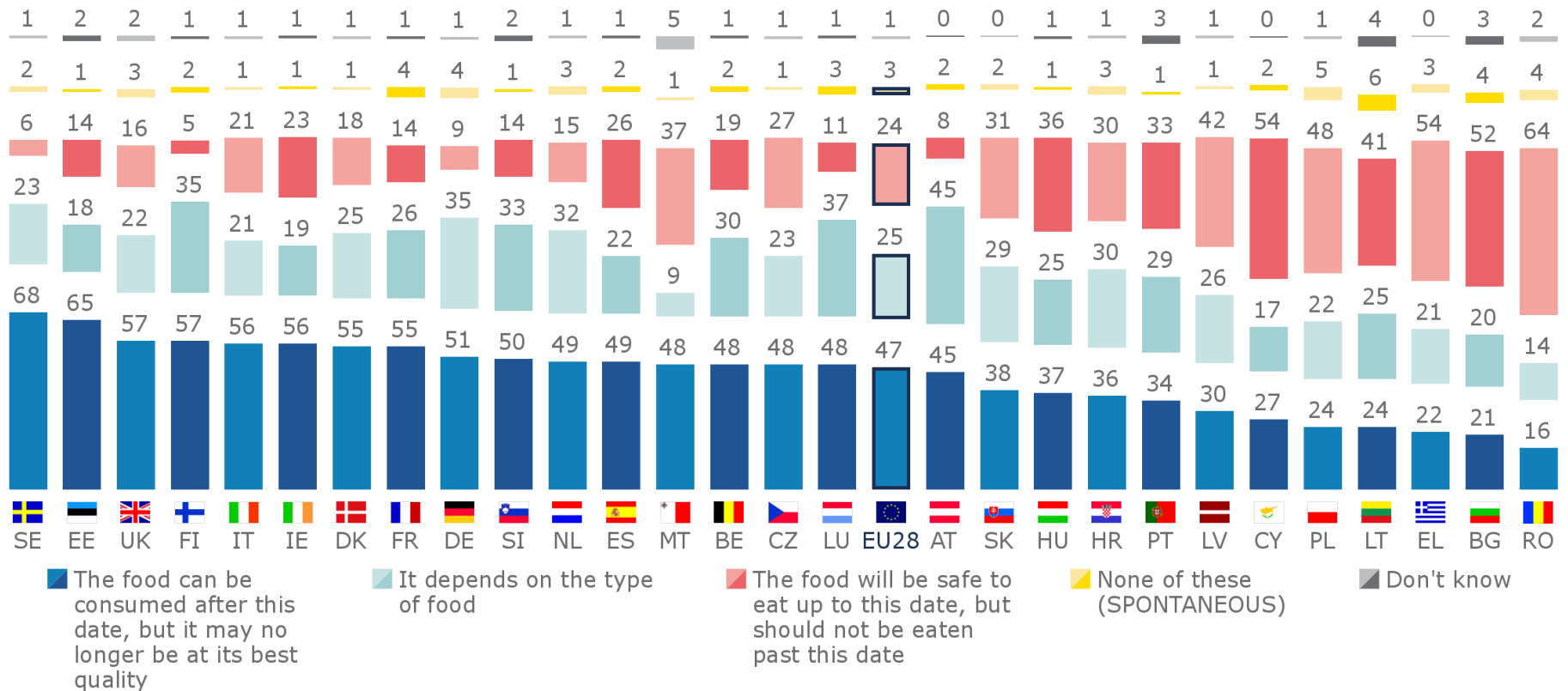
informs you about

**FOOD QUALITY**

**58% consumers say they always look at date marking when shopping and preparing meals, but less than 1 in 2 understand its meaning.**

# Correct answers to 'best before' vary from 68% in Sweden to 16% in Romania

Q What do you think "best before" on a food product actually means? I am going to read out some options, please select the one that best applies. (%)



Base: all respondents (N=26,601)



# Commission study on date marking practices

**Aim:** investigate how food business operators and national competent authorities understand and utilise date marking and the possible impact of practices on food waste

## Main phases:

- 1) Desk research to identify (if/where possible) main foods contributing to food waste in EU Member States and possible link with date marking
- 2) Market research to map date marking practices in selected food categories
- 3) Qualitative research (in-depth interviews) with Member States and food business operators

**Report published on 9 February 2018**

# Market study on date marking and food waste prevention: main findings

- Up to 10% of the food waste generated annually in the EU is linked to date marking
- Wide variation in date marking practices
- Poor legibility of date marks (11% of products sampled)
- Strengthened cooperation and innovation in the food supply chain can help prevent food waste
- Additional guidance by control authorities may be needed in certain areas (e.g. food redistribution past the "best before" date)



European  
Commission

# Mystery shopping – 10 product types (pre-packed)

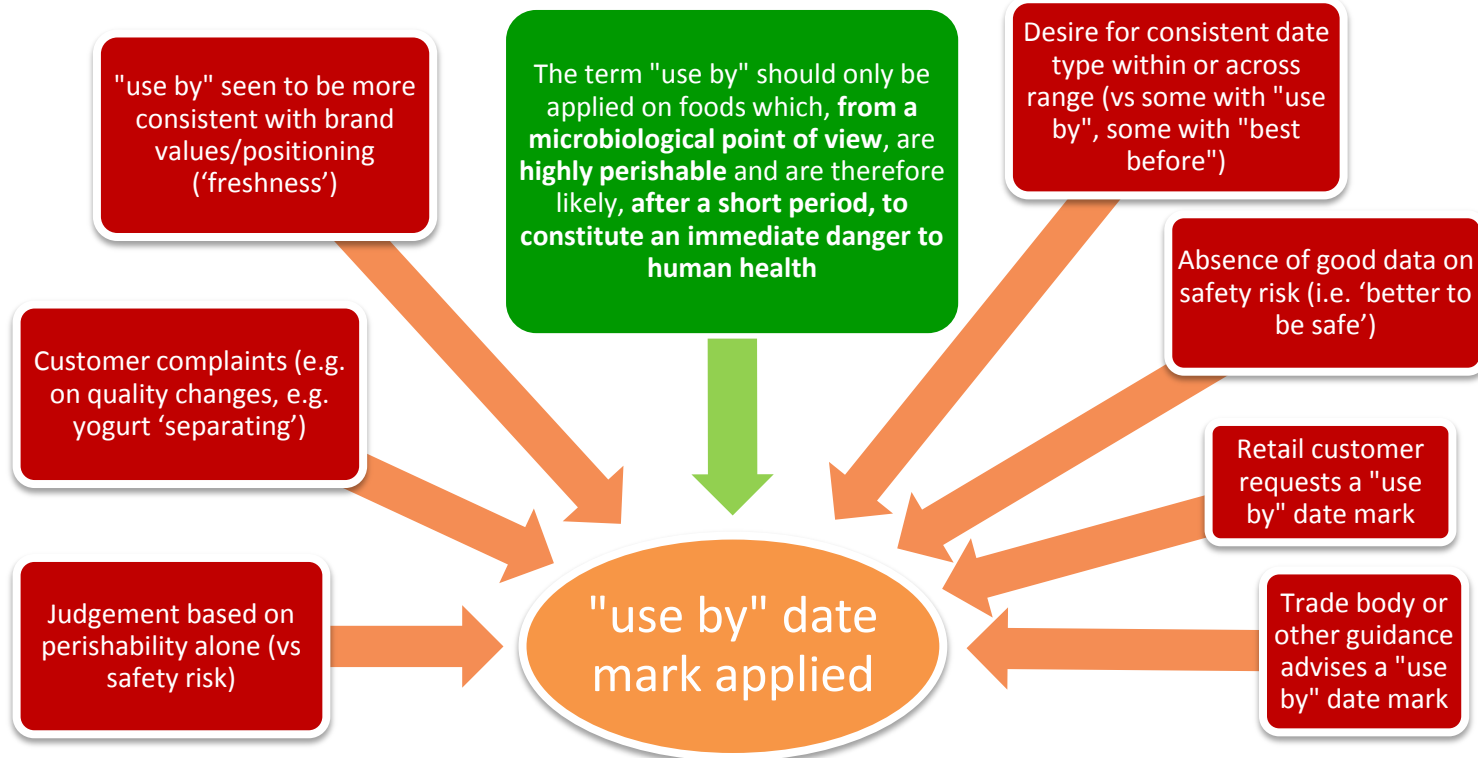
- **Salad**
  - cut lettuce/ salad leaves
- **Bread**
  - white, medium-sliced
- **Fish (chilled)**
  - smoked salmon
- **Ham (chilled)**
  - prosciutto/ serrano
- **Milk (fresh)**
  - Cows', semi-skimmed (low-fat)
- **Yoghurt**
  - Multipack, strawberry
- **Cheese (hard, sliced)**
  - Cheddar/ Gouda/ Emmental
- **Juice (fresh)**
  - Orange, no pulp
- **Pasta (chilled)**
  - Vegetable filling
- **Ketchup (tomato)**







# Date marking practices: factors favouring "use by" vs "best before"



# Date marking: next steps

**A multi-faceted, co-ordinated and coherent action is required by all key players**

## **Key objectives of policy actions:**

- to improve the differentiation between the concepts of "use by" and "best before" so as
- to facilitate common understanding and use of date marking by all actors (industry, national competent authorities and consumers)

## Key considerations for policy action (1)

Avoidable food waste linked to date marking is likely to be reduced where:

- a **date mark** is present, its meaning is clear and it is legible;
- **consumers** have a good understanding of date labelling (notably the **distinction** between "**use by**"- as an indicator of safety - and "**best before**"- as an indicator of quality);
- "**use by**" **dates** are used only where there is a **safety-based rationale**, consistent with the FIC Regulation;

## Key considerations for policy action (2)

Avoidable food waste linked to date marking is likely to be reduced where:

- the **product life** is **consistent** with the findings of **safety and quality tests**, and is not shortened unnecessarily by other considerations, such as product marketing;
- **storage and open life** guidance are consistent with the findings safety and quality tests;
- there is a level of consistency in **storage of food at retail** and guidance for consumers regarding the temperatures for **storage at home**.

# Guiding principle for possible Commission actions related to date marking rules

As requested by Council (2016 Council Conclusions on Food Loss and Waste), the Commission will ensure that any proposals for changes to EU date marking rules (for the purpose of preventing food waste):

*"...make a meaningful contribution to food waste prevention and not undermine either food safety or consumer information."*

# Possible actions: Non-Regulatory

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Need for a **shared understanding of the meaning of "best before" (linked to quality) and "use by" (linked to safety)** and implications regarding product use.

These concepts will underpin all actions undertaken on date marking by key players (to be developed by sub-group).

## Possible actions: Non-Regulatory

**Ensure more consistent date marking practices** by food business operators and control authorities through **scientific and technical guidance** to be developed at EU level.

Specific focus on sectors where date marking is relevant for food waste prevention (e.g. dairy, juices, chilled meat and fish)

Such guidance would underline:

- key role of food business operators in defining date marking (choice of dates and shelf life)
- the criteria and technical justification for such decisions taking into account product specificities

Existing MS/sectoral guidance (e.g. WRAP-FSA-DEFRA Labelling guidance) should be considered as a basis for this work





# Possible actions: Non-Regulatory

Possible components of the scientific and technical guidance:

- concepts underlying "use by" and "best before";
- how to choose dates; setting product life;
- setting storage, freezing and open-life advice;
- visual guides for date marking (including industry action to improve legibility);
- responsibilities of FBOs in marketing and use of foods throughout the supply chain including food redistribution;
- technical guidance to facilitate marketing and use of foods including food donation past the "best before" date (*e.g.* indicative timelines for product categories as defined by certain Member States - Belgium, the Netherlands, Italy).

# Possible actions: Non-Regulatory

**Promote inter-sectoral cooperation to reduce food waste generation linked to date marking in the food supply chain.**

Facilitate discussion between stakeholders in order to optimise supply chain management and use of available tools & technologies.

Areas of discussion could, indicatively, include:

- extension of product life;
- Minimum Life on Receipt criteria;
- smart packaging and other food processing innovation (eg "clean rooms");
- consistency of storage temperatures (refrigeration) indicated by manufacturer and practiced at retail and in households (and related work on EU Ecolabel criteria for refrigerators).

# Member States date marking campaigns

French  
Ministry of  
Agriculture,  
Agrifood,  
and  
Forestry,  
2013



**DLUO KÉSAKO ?**

**STOP**  
au gaspillage  
alimentaire

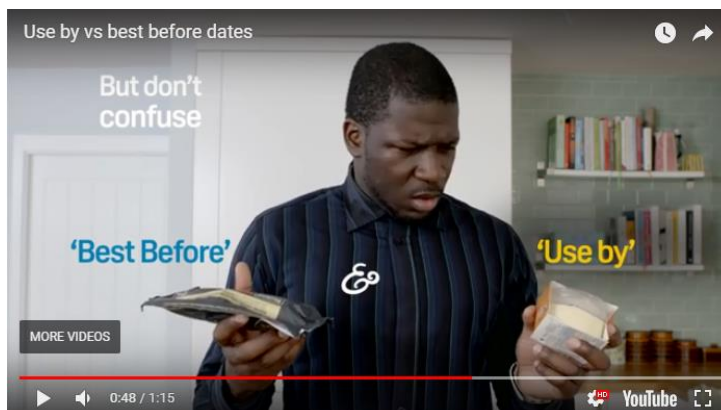
LA DATE LIMITE D'UTILISATION OPTIMALE (DLUO) EST INDICUÉE PAR LA FORMULE « À CONSOMMER DE PRÉFÉRENCE AVANT... ». ELLE CONCERNE LES PRODUITS EN CONSERVE OU CONDITIONNÉS SECS. UNE DLUO DÉPASSÉE NE REND PAS L'ALIMENT DANGEREUX : IL PEUT ÊTRE CONSOMMÉ, MÊME S'IL A MOINS DE GÔÛT OU DE TEXTURE.

BIEN COMPRENDRE LES MENTIONS FIGURANT SUR LES PRODUITS PERMET DE RÉDUIRE LE GASPILLAGE ALIMENTAIRE.

[www.alimentation.gouv.fr](http://www.alimentation.gouv.fr)

MANGER C'EST BIEN  
JETER ÇA CRAINT !

UK Food  
Standards  
Agency



Use by vs best before dates

But don't confuse

'Best Before'

'Use by'

MORE VIDEOS

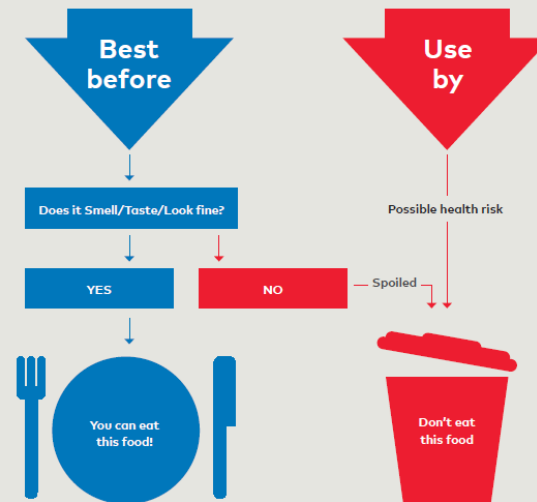
0:48 / 1:15

YouTube

## BEST BEFORE – GOOD AFTER?

The food is often OK to eat after best before-date.  
Store food according to instructions on package.

What do I do when the food has passed its date of durability?



Nordic Council of Ministers  
-Best before - Good After?  
Infographic, 2017

# Possible actions: Non-Regulatory

**An Action Plan on communication activities for Date Marking** could be developed at EU level to support and coordinate initiatives of MS/stakeholders

## **Key components could include (1):**

- share initiatives, best practices and results through the Platform/Digital Network (ongoing);
- key performance indicators of communications campaigns to be developed as part of the work of the "Action and Implementation" working group (ongoing);

# Possible actions: Non-Regulatory

## Key components could include (communications/2):

- develop a template communications approach, concepts and tools for use by all actors (Member States, industry, consumer and other NGOs), taking into account learning from previous initiatives
- provide a framework for the coordination of communications activities by all relevant actors, encouraging inter-sectoral cooperation (*e.g.* producers, food manufacturers, retailers and consumer organisations)
- monitor progress in consumer understanding via Eurobarometer research (*e.g.* 2025 giving time for implementation).

# **Possible actions: Regulatory** **(to simplify and clarify date marking rules)**

# Possible actions: Regulatory

**Improve format, presentation and terminology of date marking to better differentiate "use by" from "best before" concepts and facilitate consumer understanding**

Carry out **consumer research (qualitative/quantitative)** in Member States to support possible introduction of:

(1) modified format for "best before" dates for foods with shelf life of more than 3 months:

- change the format for "BB" from "day/month/year" to "month/year" (to help communicate that "BB" is not a date of expiration after which foods should not be consumed)
- make "month/year" format mandatory (currently voluntary)
- possible implications for traceability to be discussed with industry

# Possible actions: Regulatory

Carry out **consumer research (qualitative/quantitative)** in Member States to support possible introduction of:

(2) mandatory graphical/visual presentation to highlight the different meaning of "BB" and "UB"

To be considered:

- changes in format, lay-out, colour coding - for instance using red colour for "use by" and green for "best before", or
- different symbols such as a STOP sign for "use by" *etc.*



## Possible actions: Regulatory

Carry out **consumer research (qualitative/quantitative)** in Member States to support possible introduction of:

(3) improved terminology tailored to the languages and level of consumer understanding in each Member State

- For instance, it is more difficult for consumers and other actors to understand the difference between the two date marking terms in languages where the two terms for "use by" and "best before" are almost identical e.g in Italian *"da consumare entro"* and *"da consumarsi preferibilmente entro il"*.

## Possible actions: Regulatory

3) improved terminology tailored to the languages and level of consumer understanding in each Member State

The terminology to be tested should take into account:

- learning from consumer research carried out in MS as well feedback received to date from MS and stakeholders (for instance, request to modify "use by" to "use by end of" in order to clarify that the food is safe to eat until the end of the day indicated on the label)
- policy developments (*e.g.* CODEX "best quality before date")

# International level - Codex

- Work on date marking is ongoing
- Update of Codex general standard for the labelling of prepackaged foods related to date marking is expected to be adopted in July 2018

## Main changes introduced:

- regarding the definitions are: removal of "date of minimum durability"
- possibility of using two alternate terms for each type of date mark, i.e. "best before date" or "best quality before date" and "use by date" or "expiration date"
- Defining the criteria on the basis for which the date mark is not required

# Possible actions: Regulatory

**Extend the list of foods included in Annex X which are not required to bear a "best before" date**

Developments related to Annex X:

- exploratory work to extend the list of foods exempt from "best before" labelling, including both consumer research and risk assessment, has been undertaken recently in the Netherlands, presented at the EU Food Waste Platform meeting in November 2017.

# Possible actions: Regulatory

**Extend the list of foods included in Annex X which are not required to bear a "best before" date.**

Key considerations:

- foods for which "BB" date could potentially be removed (e.g. pasta, rice, coffee, tea...) are not major contributors to food waste;
- drawbacks in relation to consumer information ("BB" dates inform consumers on product quality/freshness and help them manage food supply at home);
- consumer could be misled (over time products of different quality could potentially be sold at the same price);
- lack of consensus amongst key players as to the impact of removing "BB" date on food waste prevention, based on evidence of consumer behaviour in relation to date marking;
- voluntary labelling of foods with "BB" date is likely to continue (FBOs can and do still label foods currently exempt from "BB" date due to the need to inform consumers about product quality)

# Focus on working together - synergies

