



**Report of the 2<sup>nd</sup> Meeting of the  
Working Group on Food Losses/Food Waste of the  
Advisory Group on the Food Chain, Animal and Plant Health**  
*Brussels, Centre Borchette, meeting room AB-2C*  
*Friday 8<sup>th</sup> February 2013 from 10:00-17:00*

**Stakeholders represented<sup>1</sup>: Members of Advisory Group:** AESGP, AVEC, BEUC, CEFIC, CLITRAVI, COCERAL, COPA-COGECA, EDA, EFFAT, EFPRA, EMRA, EUROCOMMERCE, EUROCOOP, EUWEP, FEFAC, FERCO, FoEE, FOODDRINK EUROPE, FRESHFEL EUROPE, HOTREC, PFP, PAN Europe, SLOW FOOD INTERNATIONAL, UEAPME, UECBV, UGAL. **Non-members of Advisory Group:** ACR+, AIBI, BFaN, CSR Europe, EMPAC, ESA, EUPPA, EUROCITIES, EUROPATAT, EUROPEN, FEBA, FEDERATION OF BAKERS.

**EU Commission: DG SANCO:** Chantal Bruetschy, Birgit Van Tongelen, Ladislav Kucera (E6), Felix Mittermayer, Arianna Pisanello (Dir. E), Wolfgang Trunk (G1), Klaus Kostenzer (G4), Giovanni Saccarola (F5); **DG ENV:** Ben Caspar, Patrice Gruszkowski; **DG AGRI:** Notis Lebessis, René L'Her, Tome Branka; **DG RTD:** Dirk Pottier, **DG TAXUD:** Agustin Miguez Perez; **DG ENER:** Andreas Pilzecker.

**Chair:** Chantal Bruetschy, Head of Unit DG SANCO E6 – Innovation & Sustainability.

**1. WELCOME AND INTRODUCTION WITH AN UPDATE ON COMMISSION ACTIVITIES**

The Chair welcomed the participants and reminded that the Commission established this Working Group to investigate with stakeholders how to reduce food losses/waste throughout the food chain without compromising food safety. At the 1<sup>st</sup> meeting (5/10/2012) about 60 stakeholders actively exchanged views, presented good practices and proposed to hold a 2<sup>nd</sup> meeting in February 2013 to focus on specific issues and on options for EU actions.

The Chair underlined that the **background document** that will be discussed today summarises the input received from stakeholders and that it aims to facilitate the discussion on technical aspects of various food losses/waste related items. It does not necessarily represent the official position of the Commission. The document analyses 10 topics and proposes possible options for EU actions. The objective of this meeting is to discuss the problem definition and the possible options for EU action for each topic. In view of today's discussions and taking into account written comments the Commission will modify the document as it is a work in progress.

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<sup>1</sup> Detailed participantslist attached

The Commission presented its new **Food Waste website**<sup>2</sup> which includes a user-friendly compilation of good practices, a food waste library and consumer information in all EU languages that can be downloaded and disseminated widely ("10 Tips to reduce food waste", clarification on the meaning of "best before/use by" date labels, a food waste video).

Ben Caspar (DG ENV) explained that the Commission will launch by mid April a public consultation on the "**Sustainable Food Communication**" that will include a chapter on food waste. The working Group is invited to comment.

The **European Economic and Social Committee** is finalising an Own Initiative Report "Civil society's contribution to a strategy for prevention and reduction of food losses and food waste"; as soon as it is adopted it will be put on the above-mentioned website.

The Working Group adopted the report of the first meeting on 5<sup>th</sup> October 2012.

## 2. DISCUSSION ON BACKGROUND DOCUMENT

### 2.1 Common definition

The fact that there is no harmonised definition of "food waste" is complicating the quantification, the development of adequate reduction policies and the monitoring of the successes/failures of these policies. The EU Parliament requested the EU Commission to define food waste.

The EU project on food waste "**FUSIONS**" is working on a harmonised definition. (project duration 2012-2016). Mr Toine Timmermans (coordinator of FUSIONS) presented the state of play on the work on the definition (presentation attached). In February 2013 a report for the project partners will be finalised providing an overview of the different definitions used. On 4<sup>th</sup> March the project partners will discuss a common approach on definitions. Reporting on the final definition is foreseen in July 2013.

It was emphasised that a clear common understanding is needed for the purpose and the scope of this Working Group. The Commission is working on food losses/waste in the context of resource efficiency and aims to reduce the amounts of "avoidable" food waste while respecting the food waste hierarchy. It was therefore proposed to use the term "*food wastage*". This would allow (1) to target situations where wasteful behaviour leads to the disposal of food that could have been valorised through other means (feed, bio-energy, fertilisers), (2) to make a clear distinction between "avoidable" and "non-avoidable" and (3) to separate "food waste" from the EU Waste Directive where "food waste" is considered as "waste" and therefore needs to be processed in waste devices instead of being used for human or animal consumption.



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<sup>2</sup> [http://ec.europa.eu/food/food/sustainability/index\\_en.htm](http://ec.europa.eu/food/food/sustainability/index_en.htm)

## 2.2 EXPO Milano 2015

Mr Antonio Cenini from the Office of Commissioner General EXPO Milano 2015 gave a presentation (attached) on EXPO Milano 2015. The subject of the Expo is "Feeding the Planet, Energy for Life" – food waste will be covered as well. About 20 million visitors are expected and about 140 countries are expected to participate. It is proposed that the participating countries agree upon a "Code of Ethics against food waste" at the end of the Expo. The Italian Presidency (July-December 2014) will raise awareness on the Expo. This platform would be a good opportunity to communicate about food waste to a very wide audience. It was proposed to hold a Working Group meeting at the Expo.

- *The Working Group was asked to reflect on elements that could be taken up and to encourage Member States to participate (currently 13 EU Member States missing in the official participants list).*



EXPO Milano 2015

## 2.3 Role of local and regional authorities

Cities play a key role in the generation, management and prevention of food waste and are in a strategic position to work with citizens, schools, restaurants and food businesses to promote and support food waste reduction. Their activities could focus on awareness raising & communication, education & training and separate collection of food waste for energy recovery & composting.

Presentations (attached) were given by the Cities of Stockholm (Mr Lundkvist) and London (Mr Richmond). Stockholm organises separate collections of food waste (voluntary) and transforms it (together with sewage) into bio-gas which is used for the trucks for waste collection, busses, taxis and cars. Separate bins to collect food waste are foreseen and the collection takes place regularly. Separate collections have increased steeply since 2000. The city of London's approach to reduce food waste is in line with the food waste hierarchy. Awareness raising is done via the "Love Food Hate Waste Campaign" in metro stations, on trucks, etc.; food surpluses are redistributed to food banks via FareShare (NGO) and food waste is also used for renewable energy and composting.



London



Stockholm

## 2.4 The European Innovation Partnership (EIP) on "Agricultural Productivity and Sustainability"

Mr René L'Her (DG AGRI) gave a presentation on the EIP (attached). He explained that "food waste" and "post-harvest losses" are explicitly mentioned in the EIP Communication<sup>3</sup> in the areas of innovative actions. The EIP aims to improve the

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<sup>3</sup> COM(2012)79

interaction between research and farmers via innovative projects that can be funded via different sources (Horizon 2020, CAP-Rural Development, national funds, private funds, ERDF). He also explained the concrete steps that the Working Group could take now to ensure that innovative projects on food losses/waste are included in the EIP (see background document). It was said that it is not necessarily about new research, that the focus is on the agricultural level but that connections with other levels of the food chain should be included, and that it is important to understand the EIP in order to be involved.



EIP Agricultural and  
Sustainability

## 2.5 Donation of surplus food to food banks

Mr Agustin Miguez Perez (DG TAXUD) explained that according to the **EU VAT Directive** VAT has to be paid on food intended for donation and that it is calculated on the purchase price adjusted to the state of the food when donated. There is legal uncertainty on whether the food which is close to its "*best before/use by*" date has a taxable value or a small or zero value (no VAT to be paid). In some Member States<sup>4</sup> no VAT is paid when food is donated to food banks because they interpret article 74 of the VAT Directive in a way that the value of the donated food close to its "*best before/use by*" date is small or zero. The EU VAT Committee adopted new guidelines to harmonise the application of the Directive across Member States and specifically on food donation it interprets the content of articles 16 and 74. The guidelines will be included in the Commission's food waste website.

Donation is also discouraged by the lack of knowledge on how to comply with the **EU Food Hygiene Legislation** when donating food (type of foodstuff that can be given, transport conditions, traceability of food, etc.) and by concerns about the unclear legal liability that might arise from donations. It was proposed to (1) develop EU Food Donation Guidelines for food donors and food banks on how to comply with the EU Food Hygiene legislation; and (2) to compile good practices on food redistribution on the EU food waste website.

The Good Samaritan Law in Italy was mentioned as a good practice that should be explained and adopted by other Member States; and also the FoRWaRd project<sup>5</sup> that intends to develop a free online training plan for representatives of the food supply sector, a practical guide to help them starting a food waste reduction and recovery program at their facilities in favor of charitable associations.

## 2.6 Fruit & Vegetables (F&V)

The figures on F&V waste (UK, 2011) mentioned in the background document were questioned. It was said that these figures are too high. The Commission invited the Working Group to provide additional data.

Several participants underlined that for the reduction of F&V waste **education is key** and that not only consumers should be educated but all the actors of the food

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<sup>4</sup> DA, ET, DE, FR, HU, IR, IT, LT, NL, PL, PT, SL, UK

<sup>5</sup> <http://foodrecoveryproject.eu/>

chain (farmers, food businesses, employers). Education should focus on optimal handling and storage (respecting the cold chain from farmer to consumer), on the nutritional value of not perfectly shaped F&V, and also on the health benefits of eating F&V in order to stimulate consumption and ensure a healthy diet. Existing channels for education should be used such as the EU School Fruit Scheme - a voluntary scheme that provides school children with fruit & vegetables to encourage good eating habits. This scheme asks the participating Member States to set up strategies including educational & awareness raising initiatives.

The F&V sector is a good example to demonstrate that food waste can be/should be linked to other general EU policies – in this case the EU Health policy (nutrition, obesity).

Good practices on the use of misshapen products (Slow Food) or on the donation of F&V to food banks (Freshfel Europe) is valuable information that should be exchanged.

## **2.7 Short food supply chain**

Buying food in short food chains or directly from the farmer might help to reduce food waste because consumers give greater value to food.

It was said that consumer education on understanding and valuing food is the best approach to fight food waste. It was also said that buying local/not local depends on the consumers' choice and will be thus determined by the market. However, consumers can be influenced and can be empowered to make the right choices. Co-operation between retail and local farmers, building on the link between the producer and consumer, and taking into account seasonality of agricultural products are key elements for short food supply chains.

The EU Food Hygiene legislation includes derogations for small farms and short food supply chains, but several Member States have not implemented these derogations, although guidelines exist and are publicly available. The Commission will include these guidelines in its Food Waste Website.

## **2.8 Food date labelling**

The Commission was informed that a number of Member States adopted measures to withdraw from the market food with expired "**best before**" dates. This implies that in these Member States food cannot be sold or given to food banks after the "best before" date. The Commission is assessing if these national measures are compliant with the EU legislation and will inform the Member States about the outcome as soon as possible. The different mandatory date labels on eggs might lead to **egg waste**. The "*sell by*" date for table eggs is set at 21 days after laying to ensure *food safety* since there are no temperature requirements at EU level on the conservation of eggs. The "*best before*" date is set at 28 days after laying to ensure the *quality* of fresh eggs. Some stakeholders opposed to a EU obligation to refrigerate eggs.

➤ *The Working Group was asked to provide data on the amounts of eggs wasted.*

## 2.9 Feed

The Former Foodstuff Processors Association gave a short presentation (attached) on examples of former foodstuffs that is processed into feed. It was underlined that former foodstuffs processed into feed are mostly collected from food industry (very few from retailers) and that 95% of material collected (except bread) are intermediate, unfinished or incorrect products such as dough, broken biscuits, trimmings from dough, etc.

It was said that there is no competition with human consumption because - if bread is excluded - it is estimated that only 5-6% of what is collected from the food industry could be placed on the market for use by final consumers



Former Food  
Processors

## 2.10 Bio-energy

Mr Andreas Pilzecker (DG ENER) explained the EU's energy policy in relation to food losses and food waste.

The **EU Directive on Renewable Energy**<sup>6</sup> sets targets to reach a 20% share of energy from renewable sources by 2020 and a 10% share in the transport sector. Energy from renewable sources includes energy from biomass (e.g. biodegradable waste - food waste). It implies that food surpluses might be used as a feedstock for energy production. This may create competition with food banks and other food/feed uses if the waste hierarchy is not respected. On 17 October 2012, the Commission published a **proposal**<sup>7</sup> to amend the above-mentioned Directive. It includes a number of changes for the use of various feed stocks (food crops, waste) for energy production that might also impact the use of food surpluses.

- The contribution of food-based crop biofuels to meet the 10% renewable energy target of the Renewable Energy Directive will be limited to 5%. This reduces ILUC<sup>8</sup> emissions and should stimulate the development of second generation biofuels from non-food feedstock.
- The "waste" term in the new proposal refers to the definition of waste in the EU Waste Framework Directive<sup>9</sup> in order to ensure coherence.
- The newly proposed "ILUC factors" for cereals and other starch-rich crops, sugars and oil crops represent the estimated land use change emissions that are taking place globally as a result of crops being used in the EU for biofuels, rather than for food and feed. The ILUC emission values will have to be reported. Feed stocks that do not require agricultural land for their production (i.e. various kinds of waste, residues, algae) are exempted from the factors and receive additional incentives in terms of double and quadruple counting towards the 10% target.

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<sup>6</sup> 2009/28/EC

<sup>7</sup> Proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources – COM(2012)595

<sup>8</sup> Indirect Land Use Change

<sup>9</sup> Directive 2008/98/EC

The new proposal should make the EU renewable energy and low carbon policies for transport more consistent with the stated objective to contribute to real GHG savings. The working group concluded that the link between food losses/waste and the EU energy policy is important but extremely complicated. It will need to be further discussed in the next meeting to fully cover the different aspects.

### 3. CONCLUSIONS AND NEXT STEPS

- The Working Group was invited to send to [Birgit.van-tongelen@ec.europa.eu](mailto:Birgit.van-tongelen@ec.europa.eu):
  - Written comments on the background document by 8<sup>th</sup> March 2013;
  - Data on egg waste;
  - Good practices on food waste reduction initiatives;
  - Ideas to be taken up by EXPO Milano 2015;
  - Ideas for innovative projects for the EIP on Agricultural Productivity and Sustainability.
- The Working Group was invited to comment on the food waste chapter in the public consultation on the "Sustainable Food Communication" (to be launched mid April 2013);
- The Commission will continue to have bilateral technical meetings with stakeholders;
- The Working Group expressed the wish to continue the dialogue and was in favour of a 3<sup>rd</sup> meeting, possibly before the summer holidays. The Working Group was therefore invited to send ideas for issues to be analysed and discussed at this meeting.

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Annexes: presentations and participants list