



Revision of the fruit and vegetables marketing standard regulation and its expected impact on food losses and food waste



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Alignment to the Treaty of Lisbon

Separating the regulation into an implementing regulation covering conformity checks and notifications and a delegated regulation covering the content of the marketing standards, in accordance with the Treaty of Lisbon and the empowerments in the regulation establishing the Common Market Organisation (CMO).

GREEN DEAL and FARM TO FORK STRATEGY

“The Commission will revise marketing standards to provide for the uptake and supply of sustainable agricultural, fisheries and aquaculture products and to reinforce the role of sustainability criteria taking into account the possible impact of these standards on food loss and waste.”



Evaluation

A consultant was appointed to consult both public administrations and Stakeholders

Dates : conducted in 2019 - published in november 2019

<https://op.europa.eu/en/publication-detail/-/publication/309c4642-7ec0-11ea-aea8-01aa75ed71a1/language-en>

https://agriculture.ec.europa.eu/system/files/2020-10/swd2020-231-evaluation-exec-summary-marketing-standards_en_0.pdf

Open public consultation

A questionnaire was shared on line to allow stakeholders, public administration, industry or citizen to reply to pre defined questions or share additional comments.

Date : 08 June 2021 - 31 August 2021

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12772-Agricultural-products-revision-of-EU-marketing-standards/public-consultation_en

Impact assessment

Based on the Farm to Fork strategy and the elements collected during the evaluation and the public consultation, all the Services that have shared competence with DG Agri are consulted, mainly SANTE, ENV, GROW.

Date : 2022

Publication : 21 April 2023, together with the adoption of the Directive modifying Jam and Juice Directives

=> Definition of the objectives of the reform



Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products.

Article 75

1. Marketing standards may apply to one or more of the following sectors and products:

(...)

(b) fruit and vegetables;

(c) processed fruit and vegetable products;

(d) bananas; (...)

Article 76 (applying to fruit and vegetables)

1. In addition, where relevant, to the applicable marketing standards referred to in Article 75, products of the fruit and vegetables sector which are intended to be sold fresh to the consumer may only be marketed if they are sound, fair and of marketable quality and if the country of origin is indicated.

(...)

What are we changing ?



Addressing the F2F objectives on food waste (1):

○ Extending the existing exemptions for several types of products from compliance with even the basic **general marketing standard** (“**sound, fair and of marketable quality and indication of country of origin**”):

- Products presented for retail sale and intended for processing by the consumers are currently not required to conform to marketing standard provided Member States foresee an exemption. The exemption would no longer be at discretion of the concerned Member States;
- Products sold by producer within a given production area as defined by the competent authority by direct delivery (new exemption) or on a local market in a section reserved only to producers. The exemption on a local market in a section reserved only to producers would no longer be at discretion of concerned Member State;
- Products that do not conform to the marketing standards due to a situation of force majeure and for which Member State decides that they can nevertheless be marketed within their territory under the conditions to be specified by the Member State. This was triggered by the case (September 2021) of La Palma bananas covered in ashes but nevertheless safe to eat.



Addressing the F2F objectives on food waste (2):

○ Exempting products intended for donation from complying with any of the 11 specific marketing standards (new exemption). For those 11 products, only the general marketing standard would be applicable. For all **product intended for donation, the indication 'intended for donation' will be mandatory and all other marking** will be facultative. (Products benefitting from EU financial assistance are not exempted, for sound budgetary management reasons)

○ Removing requirement that bananas be presented in hands or clusters of at least four fingers (new exemption). This allows the sector to optimize the use of space of banana packages at origin and reduce waste.



Scrutiny period (for the DR)

Finished on 21/10/2023

Publication in the Official Journal

3rd of November 2023

[Commission Delegated Regulation \(EU\) 2023/2429](#)

[Commission Implementing Regulation \(EU\) 2023/2430](#)

Entry into force

23rd of November 2023

Entry into application

Delayed to allow for a period of adaptation for the sectors and the public administrations

1st of January 2025

-> Except for donation (same date for entry into force and entry into application) in order not to lose one year of applicability as the measure does not require more time for adaptation.



Thank you