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**NOTE**

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From: Presidency  
To: Council

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Subject: Food losses and food waste: assessment of progress made on the implementation of June 2016 Council conclusions  
- *Information from the Presidency and the Commission*  
- *Exchange of views*

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**I. INTRODUCTION**

1. According to the June 2016 Council conclusions on food losses and food waste, the Council of the EU intends to assess progress made on the implementation of these conclusions starting in 2018<sup>1</sup>. Therefore, the Presidency has decided to take stock of the implementation of the aforementioned conclusions. Based on the contributions provided by the Member States, the Presidency has summarised the progress made on points 18.1-18.8 of the conclusions (see Annex I). The Commission has provided an overview of progress made by the Commission on points 19.1-19.7 of the conclusions (see Annex II). The two annexes were submitted to delegations ahead of the meeting of the Special Committee on Agriculture which prepared the "Agriculture and Fisheries" Council of 16 April 2018.

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<sup>1</sup> 10730/16, p. 12

## II. BACKGROUND

2. One third of food produced for human consumption is lost or wasted globally, which amounts to about 1.3 billion tons per year. Food is lost or wasted throughout the food supply chain, from initial agricultural production down to final household consumption. Food losses represent a waste of resources used in production, such as land, water, energy and inputs, increasing greenhouse gas emissions for no reason. Food loss and food waste refer to the reduction in food intended for human consumption at each stage of the food supply chain. According to the conceptual framework laid down for food loss and waste by the United Nations Food and Agricultural Organisation (UN FAO), food that gets spilled or spoiled before it reaches its final product or retail stage is called food loss. Food that is fit for human consumption, but is not consumed because it is left to spoil or is discarded by retailers or consumers is called food waste.<sup>2</sup>
  
3. In 2015, the General Assembly of the United Nations (UNGA) adopted the Sustainable Development Goals (SDGs) as part of its 2030 Agenda for Sustainable Development (2030 Agenda).<sup>3</sup> This agenda comprises 17 SDGs and 169 associated targets which cover key areas such as poverty, inequality, food security, health, sustainable consumption and production, growth, employment, infrastructure, sustainable management of natural resources, oceans, climate change and gender equality. The SDG target 12.3 states: ‘By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses’. In addition, several other SDGs are relevant in the current context, such as SDG 2 on food security, SDG 6 on water, SDG 8 on decent work and growth, SDG 13 on climate action and SDG 14 on sustainable use of marine resources. Interlinkages between the different SDGs and targets are recognised.

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<sup>2</sup> <http://www.fao.org/food-loss-and-food-waste/en/>

<sup>3</sup> [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

4. With the adoption of the SDGs, there is a growing awareness of the importance of reduction of food losses and food waste at global level. The UN FAO has launched the Global Initiative on Food Loss and Waste Reduction SAVE FOOD<sup>4</sup> and Technical Platform on the Measurement and Reduction of Food Loss and Waste<sup>5</sup>.

### **III. STATE OF PLAY**

5. In the European Union, food losses and food waste are tackled under the EU action plan for the circular economy<sup>6</sup> which was launched in 2015 with the objective of promoting the use of resources in a more sustainable way. On 20 June 2016, the Environment Council adopted conclusions on circular economy action plan<sup>7</sup> and on 28 June 2016, the "Agriculture and Fisheries" Council adopted conclusions on food losses and food waste<sup>8</sup>. In December 2016 the Commission informed the "Agriculture and Fisheries" Council about the state of play regarding the EU Platform on Food Losses and Food Waste.<sup>9</sup> Council conclusions on Special Report No 34/2016 from the European Court of Auditors (ECA) entitled: "Combating Food Waste: an opportunity for the EU to improve the resource-efficiency of the food supply chain" were adopted in September 2017.<sup>10</sup>

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<sup>4</sup> <http://www.fao.org/save-food/en/>

<sup>5</sup> <http://www.fao.org/platform-food-loss-waste/en/>

<sup>6</sup> 14972/15

<sup>7</sup> 10518/16

<sup>8</sup> 10730/16

<sup>9</sup> 15385/16

<sup>10</sup> 12552/17

In October 2017, the "Agriculture and Fisheries" Council held an exchange of views on 2030 Agenda and its implications for the EU agricultural policy<sup>11</sup> and it was stressed that farmers have a key role to play in the EU's contribution to the achievement of the SDGs, including SDG 12. In February 2018, the "Agriculture and Fisheries" Council discussed the revision of the EU Bioeconomy Strategy and the role of the agriculture sector.<sup>12</sup> A provisional agreement on the waste package (part of the circular economy action plan) was reached at the trilogue meeting in December 2017 (the Environment Council is in lead).<sup>13</sup>

6. To be noted that in 2017, a Working Party on the 2030 Agenda for Sustainable Development was established under the General Affairs Council. This working party focuses on the implementation of the UN SDGs in the EU and provides a forum for Member States to exchange experiences and views regarding progress made towards the 2030 Agenda.
7. The revised waste legislation calls on Member States to take action to reduce food waste at each stage of the food supply chain, monitor food waste levels and report back regarding progress made. A food waste definition has been agreed which will be used as a basis for establishing a common methodology to quantify food waste levels, to be adopted by the Commission in a Delegated Act by March 2019. This definition states that: 'Food waste' means all food as defined in Article 2 of Regulation (EC) No 178/2002 that has become waste.<sup>14</sup>

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<sup>11</sup> 12255/17

<sup>12</sup> 5757/18

<sup>13</sup> 5916/18

<sup>14</sup> 5914/18 REV 1, p. 33

8. In its report No 34/2016, the ECA recommended that the topic of food waste should be included in the forthcoming review of the CAP policy.<sup>15</sup> The Commission communication on "The Future of Food and Farming"<sup>16</sup> iterates that "the CAP can help to reduce food waste and food losses". The "Agriculture and Fisheries" Council discussed different aspects of this communication in December 2017 and in January, February and March 2018. During these discussions, ministers repeatedly mentioned food security as the primary objective of agriculture, the contribution of agriculture to resource efficiency, environment, climate objectives and SDGs. It was considered that the added value of the CAP could be further enhanced with regard to these elements.
9. In May 2017, the plenary session of the European Parliament adopted an own-initiative resolution on "Resource efficiency: reducing food waste, improving food safety" proposed by MEP Biljana Borzan (EP COMENVI). EP COMAGRI gave its opinion on this report in March 2017.

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<sup>15</sup> [https://www.eca.europa.eu/Lists/ECADocuments/SR16\\_34/SR\\_FOOD\\_WASTE\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR16_34/SR_FOOD_WASTE_EN.pdf), p. 46

<sup>16</sup> 14977/17, p. 24

10. The European Commission is committed to reaching the UN SDG of halving food waste by 2030. In August 2016, the Commission established an EU Platform on Food Losses and Food Waste which brings together 70 members, including representatives of Member States, international organisations (FAO, UN Environment Programme, OECD), and actors along the food value chain, including food banks and other NGOs. The Commission has adopted EU guidelines to facilitate food donation<sup>17</sup> and is implementing a three-year EU pilot project to further research legal and operational frameworks for food redistribution and support dissemination of the EU guidelines on food donation in the Member States. Guidelines on the use of former foodstuffs for animal feed and a Delegated Act laying down a methodology to measure food waste are under preparation. The need to promote more consistent understanding and use of "use by" and "best before" dates on food labels by all actors, including food business operators and control authorities, has been highlighted by a recent study<sup>18</sup> which found wide variation in date marking practices within product categories surveyed in the EU and poor legibility of date marks, estimating that up to 10% of food waste generated annually in the EU is linked to date marking. A dedicated subgroup of the EU Platform on Food Losses and Food Waste will be established in 2018 in order to examine options and develop a coordinated and coherent action plan involving all key players. The integration of food waste prevention objectives is also considered in the review of the EU Green Public Procurement Criteria<sup>19</sup> to be finalised in 2018.

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<sup>17</sup> OJ C 361, 25.10.2017, p. 1

<sup>18</sup> Market study on date marking and other information provided on food labels and food waste prevention. ICF in association with Anthesis, Brook Lyndhurst and WRAP, 2018.  
<https://publications.europa.eu/en/publication-detail/-/publication/e7be006f-0d55-11e8-966a-01aa75ed71a1/language-en>

<sup>19</sup> [http://ec.europa.eu/environment/gpp/gpp\\_criteria\\_process.htm](http://ec.europa.eu/environment/gpp/gpp_criteria_process.htm)

11. The European Commission's Joint Research Centre has studied the following related topics: "Food waste accounting - Methodologies, challenges and opportunities"<sup>20</sup>, "Improving Sustainability and Circularity of European Food Waste Management with a Life Cycle Approach"<sup>21</sup>, "Energy use in the EU food sector: State of play and opportunities for improvement"<sup>22</sup>, "Profiling Italian consumers attitude to food waste"<sup>23</sup>, "Prioritizing and optimizing sustainable measures for food waste prevention and management"<sup>24</sup>, "Techno-economic and profitability analysis of food waste biorefineries at European level"<sup>25</sup>, "Modelling of food loss within life cycle assessment: From current practice towards a systematization"<sup>26</sup>.
12. The European Economic and Social Committee adopted in 2013 an opinion on civil society's contribution to a strategy for prevention and reduction of food losses and food waste.<sup>27</sup>
13. The main challenge is that of ensuring food security and feeding a growing population, while also taking into account the implications of climate change. Resource efficiency and the reduction of food losses and food waste play a major role in this context. The Presidency is of the view that current Common Agricultural Policy (CAP) already contributes to the reduction in food losses and food waste but there may be ways to improve the current tools. Now is the right time to explore these ways in the context of the formulation of future EU policies.

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<sup>20</sup> <https://ec.europa.eu/jrc/en/publication/food-waste-accounting-methodologies-challenges-and-opportunities>

<sup>21</sup> <http://publications.jrc.ec.europa.eu/repository/bitstream/JRC99238/lbna27657enn.pdf>

<sup>22</sup> <http://publications.jrc.ec.europa.eu/repository/bitstream/JRC96121/ldna27247enn.pdf>

<sup>23</sup> <https://ec.europa.eu/jrc/en/science-update/profiling-italian-consumers-attitude-food-waste>

<sup>24</sup> <https://ec.europa.eu/jrc/en/publication/prioritizing-and-optimizing-sustainable-measures-food-waste-prevention-and-management>

<sup>25</sup> <https://www.sciencedirect.com/science/article/pii/S0960852418303547>

<sup>26</sup> <https://www.sciencedirect.com/science/article/pii/S0959652616307272>

<sup>27</sup> <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/prevention-and-reduction-food-waste>

14. Due to its multifaceted and cross-sectoral nature, the topic of food losses and food waste has interlinkages with different policy areas and therefore requires efforts from several actors. The Environment Council is leading the process regarding the waste regulation as part of circular economy package. The "Agriculture and Fisheries" Council will focus on the agricultural aspects and more precisely on the assessment of progress made on the implementation of the Council conclusions on food losses and food waste which were adopted by the "Agriculture and Fisheries" Council in June 2016. The Presidency has prepared a summary of actions taken by the Member States on points 18.1-18.8 of the conclusions (Annex I). The Commission has provided information on progress made by the Commission on points 19.1-19.7 of the conclusions (Annex II).
15. The Agriculture Ministers are invited to assess the progress made on the implementation of June 2016 Council conclusions on food losses and food waste. In order to structure the exchange of views at the "Agriculture and Fisheries" Council meeting on 16 April 2018, the Presidency has prepared a question, as set out below.
16. The Special Committee on Agriculture took note of the Presidency's background paper (document 6453/18), had a preliminary exchange of views on the proposed question, without prejudice to the final position of the Ministers during the exchange of views on 16 April 2018, and agreed to forward this question to the Council.



17. At the meeting of the Special Committee of Agriculture on 26 March 2018, many delegations reconfirmed their commitment to SDG 12.3 goal to halve food waste by 2030 and were of the view that progress has been made on the implementation of the 2016 Council conclusions at national level. Specific progress has been identified in relation to national programmes and legislation which have been put in place or are under preparation, introduction of measurement on food losses and food waste, initiation and support of multi-stakeholder partnerships to identify the measures along the entire food supply chain and to implement them. This type of efforts alongside with awareness raising campaigns, voluntary cooperation with industry, additional measures to tackle food waste due to confusing labelling, facilitating donation programmes of food surpluses, were pointed out as key to continuous progress at national level. However, several delegations drew attention to obstacles to the implementation of actions, both at national and EU level, that are related to the lack of commonly approved measurement methodology, availability of comparative data and clarity on definitions. Delegations called for collection of data not only about food losses and food waste in different segments of the food chain, but also collection of data on progress made on the reduction of food losses and food waste in different segments as a result of targeted action. Some delegations stressed that issues related to date marking and marketing standards should be further explored at EU level with a view to minimise food losses and food waste. According to some delegations, innovation and new technologies supported through the CAP could further contribute to making progress and the reform of the CAP could present an opportunity to enhance prevention of food losses and food waste. Delegations welcomed actions taken by the Commission on the implementation of the 2016 Council conclusions, especially in relation to the EU Platform on Food Losses and Food Waste.

#### IV. QUESTION FOR MINISTERS

18. Against this background and in order to frame the discussion, the Presidency invites the "Agriculture and Fisheries" Council to address the following question:

*How do you assess the progress made at EU and at national level regarding the 2016 Council conclusions? Do you think that the pace is sufficient or further actions are still needed to obtain the necessary speed to meet the commitments to reduce food losses and food waste?*

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**PROGRESS MADE BY MEMBER STATES ON IMPLEMENTATION OF 2016 COUNCIL CONCLUSIONS****Based on contributions from 19 Member States**

18	CALLS UPON THE MEMBER STATES TO:	
18.1	Confirm their commitment to the achievement of SDG 12.3, agreed by all global actors within the framework of the 2030 Agenda for Sustainable Development at the UNGA, while recognising the integrated nature of the SDGs.	<p>All EU Member States (MS) have expressed their support for achieving SDG 12.3, agreed by all global actors as part of the 2030 Agenda for Sustainable Development at the UNGA.</p> <p>Progress will be made using different mechanisms. Most countries have developed specific national legislation on food waste and food losses. National plans have been developed with strategies focusing on, for example:</p> <ul style="list-style-type: none"> <li>- management plans for food waste,</li> <li>- preventing the generation of food waste, and</li> <li>- programmes to identify problems leading to the generation of waste in the food industry.</li> </ul> <p>The results that the national plans and strategies have produced should emerge in 2025-2030.</p> <p>Some MS are committed to meeting the objective of reducing food waste mainly through voluntary frameworks, without creating and implementing specific legislation.</p> <p><u>Next steps:</u> Continue work towards SDG 12.3, including by means of national strategies, legislation and voluntary measures, ensuring involvement of key players. Provide incentives for the application of the waste prevention hierarchy, such as facilitation of food donation.</p>

18.2	<p>Welcome the outcomes of the FUSIONS project, e.g. developing a common and practical EU monitoring protocol for measuring food loss and waste reduction (paragraph 16), and the methodologies developed by Member States to measure food losses and waste, in order to use these experiences as a scientific basis and starting point for further discussions on harmonisation of measuring food loss and waste reduction.</p>	<p>MS are using or intending to use the FUSIONS project findings in their future efforts to develop a methodology for measuring and reducing food waste. The project has the potential to harmonise and innovate established evaluation methodologies. National arrangements to monitor food losses and food waste at all levels of the food chain (from farm to fork) are being implemented in several MS, although their scope and duration vary. Both sectoral assessments of sources of food waste (households, food production, wholesale and retail) and overall monitoring of unused food resources are being undertaken. Many MS carry out campaigns to estimate food waste quantities.</p> <p>MS views on the use of scientific potential to create a measurement system, especially to measure economic efficiency, are proving controversial. The FUSIONS project, various national strategies and EU legislation offer differing definitions of food waste. This makes it difficult to assess the quantities of food losses and food waste involved.</p> <p>Given the national methodologies used and the experience of measuring food waste, MS have expressed their willingness to adopt a uniform approach to food waste assessment and uniform terminology to be applied to food losses and food waste.</p> <p><u>Next steps:</u> Contribute to the development of uniform methodology to quantify food waste at each stage in the food supply chain and implement regular monitoring and reporting on food waste levels, as called for by the political agreement reached on the revision of the Waste Framework Directive. Make further efforts on developing uniform terminology. Through the EU Platform on Food Losses and Food Waste, support EU and global initiatives to monitor food losses in agro-food industries in the EU.</p>
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18.3	<p>Actively contribute to the EU Platform on Food Losses and Food Waste<sup>28</sup>, which brings together Member States and all actors in the food chain, including non-governmental organisations, and will be established as part of the EU action plan to promote the circular economy, in order to monitor progress towards SDG 12.3 by helping to define measures needed to prevent food waste in the EU, reporting about the situation at national level and sharing best practices informed by evidence on reduction of food losses and waste.</p>	<p>Almost all MS are actively participating in the EU Platform on Food Losses and Food Waste and its subgroups, depending on their interests. By sharing best practices in the fields of 'Food Donation', 'Food Waste Measurement' and 'Action and Implementation', all actors can add to the variety of ways of preventing and utilising food losses and food waste.</p> <p>Many MS support the setting up of a specific subgroup on date marking under the EU Platform on Food Losses and Food Waste and declare their strong interest in participating in it. Adequate interpretation of the information placed on labels and related to the 'best before' and 'use by' terminology will help prevent food waste and make them easier to use. Some proposed topics for discussion in the future subgroup on food labelling are:</p> <ul style="list-style-type: none"> <li>- widening the list of foods exempt from 'best before' labelling;</li> <li>- increasing the shelf life of foodstuffs for which a specific shelf life has been set in legislation because of its proven safety (for example, table eggs).</li> </ul> <p><u>Next steps:</u> Continue active participation and contributing to the work of the EU Platform on Food Losses and Food Waste, including regarding date marking.</p>
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<sup>28</sup> [http://ec.europa.eu/food/safety/food\\_waste/eu\\_actions/eu-platform/index\\_en.htm](http://ec.europa.eu/food/safety/food_waste/eu_actions/eu-platform/index_en.htm)

18.4	<p>Encourage implementation of the waste management hierarchy and the food use hierarchy, by prioritising prevention of food losses and waste, reuse of safe and nutritious food suitable for human consumption that might otherwise be wasted, recovery of food resources for animal feed, where it is safe to do so, and diversion of unavoidable food losses and waste from disposal to, in a priority order, recycling and other forms of recovery, including through use in bio-based materials, aerobic digestion and energy recovery.</p>	<p>Many MS have made significant progress in implementing the waste management hierarchy and food use hierarchy, including through the following measures:</p> <ul style="list-style-type: none"> <li>- amending national legislation on the establishment of waste classification rules, date marking and donation rules;</li> <li>- changing the rules on the taxation of foodstuffs intended for donation and providing fiscal incentives for food donation;</li> <li>- undertaking educational initiatives and developing robust guides and guidelines aimed at food producers, wholesalers, retailers and consumers generating food waste, notably on how to avoid throwing food away;</li> <li>- encouraging regular charity activities and targeted campaigns to recover surplus food for redistribution to those in need; and</li> <li>- above all, establishing and maintaining sustainable and well-established food donation models in the form of food banks and other charity organisations, making full use of the possibilities offered under the Common Market Organisation for fruit and vegetables as well as the Fund for European Aid to the Most Deprived (FEAD). This has provided MS with working models for the hierarchical distribution and use of surplus food.</li> </ul> <p>However, MS are still encountering obstacles to the full use of the opportunities for utilising food surpluses. Future debate and decisions on the development of uniform definitions of food losses and waste can lead to an effective model on application of waste classification hierarchy.</p> <p><u>Next steps:</u> Enable and continue the implementation of the waste prevention hierarchy and the food use hierarchy, by prioritising prevention of food losses and food waste, recovery of surplus food and optimising use of food resources whilst ensuring food and feed safety.</p>
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18.5	Support education and awareness-raising among the population on sustainable food production processes, the resources required, consumption and food losses and waste.	<p>MS are using a wide variety of tools to support education and to raise public awareness of sustainable food production processes, resource efficiency, consumption as well as reduction of food losses and food waste. During information campaigns, educational materials are developed for children, especially young children and teenagers, with the emphasis on balanced and healthy nutrition, smart consumer behaviour and less household food waste.</p> <p>Various approaches to information and education campaigns are being applied. Alongside the traditional ways of promoting measures to reduce food surpluses — conferences, discussions, seminars, educational programmes in schools and so on — more modern and accessible sources of information are often used, such as television and radio advertisements, web materials and various social media platforms. Many MS regularly update information of interest to consumers wishing to support the fight against the generation of food losses and food waste.</p> <p><u>Next steps</u>: Initiate, enable and carry on work on awareness-raising activities, while promoting innovative solutions.</p>
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18.6	<p>Aim to reduce food losses and waste and valorise food resources from primary production through to consumption, in line with the waste management hierarchy and the food use hierarchy, making use of the tools available at EU level, including those under the Common Agricultural Policy, research and innovation policy, and the European Innovation Partnership (EIP).</p>	<p>Some MS have introduced regulatory tools to enable farmers to use their primary products, which for various reasons have been removed from the food chain but are still fit for human consumption. These tools include offering tax breaks, reducing administrative burdens and including primary agricultural producers in the various CAP tools to reduce losses of primary products such as fruits, vegetables and fish. Several MS are actively using public-private partnerships with the ultimate goal of reducing food losses at all levels of the agri-food chain in innovative and creative ways, with support from scientific and research organisations and institutes.</p> <p>Legislative measures to shorten the chains and routes that foodstuffs take to reach the end consumer have been drafted and are being implemented. As a means of reducing primary production losses, some MS have sought to encourage farmers to develop and implement their own effective programmes to maximise resource utilisation. These would then be used as a criterion for additional funding under various EU projects.</p> <p><u>Next steps:</u> Continue work on reducing food losses and food waste throughout the entire food chain, including through CAP tools, such as Common Market Organisation (for fruits and vegetables), Rural Development Programmes and School Schemes. Making use of research and innovation policy.</p>
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18.7	Put the issue of food loss and waste reduction on the agenda of the various actors of the food value chain, and promote inter-sectorial cooperation to prevent food losses and waste from farm to fork. Getting better data on food losses and waste, including the agricultural sector, and detecting possible problems and opportunities, albeit without putting extra administrative burden on farmers, is an important first step to develop targeted action.	<p>Cross-sectoral, multidisciplinary and multi-faceted dialogue, cooperation and coordination between participants in the food chain and public administrations are widely pursued in the MS. They focus on reducing food losses and food waste. A number of projects have been developed and implemented at different stages of the food chain. Achieving food waste reduction targets is based on models of volunteering and cooperation between government, civil society and business. Robust support for research projects is also provided by the scientific community, with universities and research institutes. The results of the project-based work will form the basis for deeper and more targeted action to reduce food losses and food waste.</p> <p><u>Next steps:</u> Continue promoting and organising cooperation between sectors and participants in the food chain, in order to attain synergies. Take steps towards getting reliable and comparable data.</p>
18.8	Take into account food losses and waste issues in discussions and initiatives on using raw materials more sustainably.	<p>MS consider the actions to reduce food losses and food waste to be an essential aspect in the optimal use of natural resources because they help to achieve significant social and economic results. Thanks to donor organisations and initiatives, the amount of saved food is growing and reaching a wider range of specific consumer groups. Reducing administrative, legal and financial burdens benefits businesses and serves as a major incentive for companies to be involved in reducing food losses and food waste.</p> <p><u>Next steps:</u> Continue promoting the optimal use of natural resources.</p>

**INFORMATION FROM THE COMMISSION**

Follow up to Council conclusions on Food losses and food waste, adopted by the Council at its 3479th meeting held on 28 June 2016 (10730/16). Document with information on the progress made by the Commission regarding the points in the Conclusions where Commission is called for actions.

19	CALLS UPON THE COMMISSION TO:	
19.1	Use the lessons learned and deliverables from the FUSIONS project (paragraph 16), considering other research projects (e.g. Eurostat food waste plug-in) and experiences with methodologies by Member States as a scientific basis and starting point to design a common and practical EU protocol that defines food waste and how to quantify it at each stage in the food supply chain for waste reduction purposes, as set out in the EU action plan for the Circular Economy, and taking into consideration the Food Loss and Waste Accounting and Reporting Standard (June 2016), the experience of actors in food waste quantification, and the necessity to minimise the administrative burden for Member States.	<p>The ordinary legislative procedure on the revision of Directive 2008/98/EC has introduced certain clarifications which will help the Commission to prepare a methodology to quantify food waste along the food supply chain: the co-legislators have agreed on a definition of food waste, and they have empowered the Commission to adopt, by way of a delegated act, a methodology for measurement of food waste. This methodology is to be complemented by a common format for reporting of food waste measured by Member States to the Commission, to be adopted as an implementing act.</p> <p>The Commission has anticipated this future legislative framework by starting, in 2016, work on a methodology to quantify, monitor and report food waste in pragmatic and cost efficient manner. Building on the work of the FUSIONS project, existing waste statistics as well as international efforts (global Food Loss and Waste Standard<sup>29</sup>), the first draft of an outline document was presented to the EU Platform on Food Losses and Food Waste at its first meeting in November 2016, and was further discussed within a dedicated sub-group on Food Waste measurement in order to take into account and share experience of Member States and actors in the food supply chain. The work was continued throughout 2017 in</p>

<sup>29</sup> <http://flwprotocol.org/>

		<p>parallel with the ordinary legislative procedure on the revision of the Waste Framework Directive 2008/98/EC<sup>30</sup>. The Commission is currently conducting preparatory work for the Delegated Act on a methodology for food waste measurement, taking into account the discussions in the EU Platform on Food Losses and Food Waste<sup>31</sup>. The draft act will be discussed within Commission Expert Group on Food Losses and Food Waste<sup>32</sup> as well as in the Expert Group on waste. It is envisaged to adopt the Delegated Act before the end of 2018. The Commission is also liaising with the FAO with regard to the development of global indicators to monitor food loss and waste in the context of the UN Sustainable Development Goal 12.3. (See answer to 19.7 for more details on international cooperation).</p>
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<sup>30</sup> COM(2015)595 final

<sup>31</sup> [https://ec.europa.eu/food/safety/food\\_waste/eu\\_actions/eu-platform\\_en](https://ec.europa.eu/food/safety/food_waste/eu_actions/eu-platform_en)

<sup>32</sup> <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=3189>

<p>19.2</p>	<p>Include the following objectives in the future examination of EU policies and legislation, such as the fitness check on the General Food Law within the framework of the Better Regulation Initiative:</p> <ul style="list-style-type: none"> <li>• better integrate the prevention of food losses and waste throughout the value chain;</li> <li>• better valorise biomass, when food is no longer fit for use in the food and feed chain;</li> <li>• minimise the potential negative impact on food losses and waste of existing policies and regulations, without prejudice to their original aims.</li> </ul>	<p>The objectives mentioned in Council Conclusions are being taken into account in the examination of EU policies, e.g.:</p> <ul style="list-style-type: none"> <li>• On 15 January 2018, the Commission completed the Fitness Check of the General Food Law (GFL) Regulation (Regulation (EC) No 178/2002). The Fitness Check of the GFL Regulation was a comprehensive evaluation (<i>ex post</i>), which was initiated in 2014, assessing whether the legislative framework introduced by the latter Regulation for the entire food and feed sector was still <b>'fit for purpose'</b> and whether it continued to capture and reflect policy trends of today. Amongst others, the Fitness Check addressed the relevance of the GFL Regulation in light of growing food sustainability concerns and in particular, the need to prevent food waste. It found the GFL Regulation to be <b>largely inadequate for the purpose of addressing food sustainability in general, and food waste in particular</b>, as not all parameters of food sustainability are considered in the framework of the GFL Regulation. Nevertheless, according to the Fitness Check, <b>the position of stakeholders</b> (including food business operators and non-governmental organisations) as well as of Member State competent authorities was that <b>food sustainability, and food waste in particular, should best be addressed through dedicated policies and legislation</b>.</li> <li>• The Communication "The Future of food and farming" which describes proposed changes to the common agricultural policy (CAP) includes a number of provisions on better integration of food sustainability into the future CAP (chapter 3). This Communication clearly stresses the need to enhance the ambition in terms of environmental and climate delivery and underlines the commitment to the achievement of the 2030 Sustainable Development Goals. It highlights that the CAP can help to reduce food waste and food losses by stimulating better production and processing practices and by supporting initiatives that transform traditional produce-use-discard consumption patterns into a circular bio-economy".</li> </ul>
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		<ul style="list-style-type: none"><li>• Food waste prevention is highlighted as a priority area in the Circular Economy Action Plan. An integrated action plan, including both legislative and non-legislative initiatives, is being implemented to tackle food waste in the EU. Within the Commission, work is continuing to ensure strengthening of food waste prevention across all relevant policy areas in line with the 2030 Sustainable Development Agenda.</li></ul>
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19.3	<p>Promote more consistent understanding and usage of date marking, such as dates on eggs and other products, amongst consumers, food business operators, in particular food manufacturers and retailers, and control authorities, in order to prevent food losses and waste.</p> <p>Should any proposals for changes be made to EU rules on food information for consumers, the Council calls on the Commission to take into account the Council's position that these proposals should make a contribution to food waste prevention and not undermine either food safety or consumer information.</p>	<p>As part of the Circular Economy Action Plan<sup>33</sup> to tackle food waste at EU level, the Commission has been called upon 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". In order to complement existing consumer research on date marking, the Commission undertook a study in 2017 to investigate the understanding and date marking practices of food business operators and control authorities and their possible impact on food waste. Key highlights from the study were presented at a meeting of the EU Platform on Food Losses and Food Waste in November 2017 and the final report<sup>34</sup> was published in February 2018. It is expected that together with consumer research and other findings, the study will help inform future policy making regarding date marking.</p> <p>In order to promote more consistent understanding and usage of date marking, multi-faceted, coordinated and coherent action is required by all key players. A dedicated sub-group of the EU Platform on Food Losses and Food Waste will be established in 2018 to guide all work in this area.</p> <p>The Commission fully agrees with the Council position that any proposals put forward concerning date marking shall maintain food safety and proper consumer information.</p>
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<sup>33</sup> COM/2015/0614 final

<sup>34</sup> Market study on date marking and other information provided on food labels and food waste prevention. ICF in association with Anthesis, Brook Lyndhurst and WRAP, 2018. <https://publications.europa.eu/en/publication-detail/-/publication/e7be006f-0d55-11e8-966a-01aa75ed71a1/language-en>

19.4	<p>Foster discussions involving all Member States to explore the ways and means to strengthen management of the food supply chain and foster cooperation between actors in order to minimise the amount of food that is unsold by food manufacturers, retailers and caterers, in cooperation with other actors in the food supply chain, including food banks and other charitable organisations, for example by ensuring that retailers refrain from purposely making unsold food products unfit for human consumption and by encouraging the donation of unsold food products to charities, in particular by means of agreements between retailers and charities. Additionally, consider proposals regarding the lifting of legal and practical barriers leading to food losses and waste, in particular to facilitate food donation to food banks and other (social) initiatives.</p>	<p>One of the principal aims of the EU Platform on Food Losses and Food Waste (3 meetings held since November 2016) is to strengthen inter-sectorial cooperation among the actors in the food supply chain as well as between private and public sectors in order to accelerate the EU's progress towards the SDG 12.3 food waste reduction targets. The sharing of experience and evidence-based best practices in food waste prevention and reduction is facilitated by: meetings of the EU Platform and its 3 sub-groups addressing specific issues, in particular the subgroup dedicated to "Action and Implementation" as well as through the ongoing exchange between Platform members supported by the digital network established by the Commission for this purpose.</p> <p>The Horizon 2020 Project REFRESH<sup>35</sup> is specifically oriented to support better decision-making by industry and individual consumers – including development of strategic agreements to reduce food waste with governments, business and local stakeholders. Pilot projects are ongoing in four Member States (Spain, Germany, Hungary and the Netherlands), with experience shared on an ongoing basis with Platform members. The REFRESH Community of Experts, which allows exchange of information, best practice and expertise with a wider stakeholder community, has been established in partnership with the EU Platform on Food Losses and Food Waste.</p> <p>The functioning of the food supply chain is also subject of discussion of High Level Forum for a Better Functioning Food Supply Chain. Moreover the Commission launched a public consultation on an Initiative to improve the food supply chain addressing in particular Unfair Trading Practices. Preliminary findings from the REFRESH project point to the possible impact of UTPS on food waste generation in the supply chain. The European Commission is currently carrying out work on an impact assessment with a view to introducing EU measures to address UTP, in complement to the ongoing work on the</p>
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<sup>35</sup> <http://eu-refresh.org/>

		<p>simplification and modernisation of the Common Agricultural Policy.</p> <p>As part of the Circular Economy Action Plan, the Commission has adopted, on 16 October 2017, EU guidelines on food donation<sup>36</sup> in order to clarify relevant legal provisions and thereby facilitate this practice in the Member States (see answer to 19.6 for more details).</p> <p>Further research on legal and operational frameworks for food donation existing in Member States as well as support for the dissemination of the EU guidelines, in cooperation with Platform members, will be pursued through a pilot project (2018-2020).<sup>37</sup></p>
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<sup>36</sup> Commission notice – EU guidelines on food donation (2017/C361/01) <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2017:361:FULL&from=EN>

<sup>37</sup> [https://ec.europa.eu/food/safety/food\\_waste/eu\\_actions/food-donation\\_en](https://ec.europa.eu/food/safety/food_waste/eu_actions/food-donation_en)



19.5	Use the stakeholders platform as a forum for exchanging views on developing consumer information in the Member States in order to meet the huge challenge of influencing consumer behaviour.	The EU Platform on Food Losses and Food Waste enables exchange of views between Member States and stakeholders. Amongst others, the ongoing work of REFRESH on the determinants of consumer behaviour in relation to food waste <sup>38</sup> can help inform the development of consumer interventions and campaigns by all actors concerned. Given the important contribution of food waste at household level to total food waste, this topic will be addressed as a priority issue by the sub-group on "Action and Implementation" of the EU Platform.
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<sup>38</sup> see for instance <http://eu-refresh.org/quantified-consumer-insights-food-waste>

19.6	<p>Develop guidelines on the current legislation to clarify EU legislation relating to waste, food and feed, to facilitate food donation and the use of former foodstuffs and by-products from the food chain in feed production without compromising food and feed safety, taking into account current provisions in Member States that have already proved effective.</p>	<p>The Commission has elaborated EU guidelines in order to facilitate food donation in the Member States. This guidance aims to clarify relevant legal provisions in EU legislation and thereby help to lift barriers to food redistribution within the current EU regulatory framework. More specifically, these guidelines seek to: facilitate compliance of providers and recipients of surplus food with relevant EU rules (e.g. food safety, food hygiene, traceability, VAT <i>etc.</i>) and promote common interpretation by regulatory authorities in the EU Member States. The guidelines, which were developed in close cooperation with members of the EU Platform on Food Losses and Food Waste, were adopted on World Food Day (16 October 2017) and published in all EU languages (see answer to 19.4).</p> <p>The European Commission launched a 3-year pilot project, initiated by the European Parliament, "Food redistribution in the EU: analysis of existing frameworks and dissemination opportunities". This project will support: dissemination of the EU guidelines on food donation while fostering dialogue with relevant stakeholders; and mapping and analysis of the policy, regulatory and operational frameworks of the EU-28 relevant for food redistribution and in particular for food donation.</p> <p>The Commission is also taking steps to facilitate the use of food which (mainly for commercial reasons) is no longer intended for human consumption, as a resource for animal feed. The Commission proposed legislative changes to facilitate the reuse of food as animal feed in its proposal to amend the Waste Framework Directive 2008/98/EC<sup>39</sup>. The Commission is currently elaborating EU guidelines which will clarify the legal status of former foodstuffs intended for feed in order to support and simplify the activities of food and feed business operators and reduce administrative burden for control authorities. The guidelines have been elaborated in close consultation with Member States and their adoption is expected by end of March 2018.</p>
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<sup>39</sup> COM(2015)595 final

19.7	<p>Include, in light of point 9 of the Political Guidelines for the European Commission (‘A stronger global actor’), food losses and waste in agendas, action programmes and cooperation programmes on food security, nutrition and development cooperation, to facilitate capacity-building and technical support in less developed countries, and therefore to actively support partnerships that contribute towards SDGs with a view to the realisation of the 2030 Agenda. In light of this, initiate (or reinforce) cooperation between the EU and international organisations (in particular FAO and UNEP) in order to maximise the contributions of all actors towards reaching the SDGs, ensure consistent monitoring and efficient reporting of progress made, and promote the sharing of knowledge and best practices.</p>	<p>The Commission is committed to integrating Sustainable Development Goals in the European policy framework and current Commission priorities, assessing where we stand and identifying the most relevant sustainability concerns. The first monitoring report of the EU's progress towards the SDGs has been published by Eurostat in November 2017<sup>40</sup>.</p> <p>Both the Circular Economy Action Plan and the political agreement reached in December 2017 on the revision of the Waste Framework Directive confirm the EU's commitment to the SDG 12.3 food loss and waste objectives.</p> <p>The Food and Agriculture Organisation is an active member of the EU Platform on Food Losses and Food Waste along with other international organisations (UN Environment Programme, OECD). In order to further strengthen cooperation with the FAO – and in recognition of the role of this organisation as custodian of the global SDG 12.3 target – the Commission has signed a Letter of Intent on collaboration between Food and Agriculture Organisation of the United Nations (FAO) and the Commission on 29 September 2017. This letter highlights the need to prevent waste in food supply chains and confirms already ongoing cooperation (in particular on monitoring and reporting of food losses and waste) between the two organisations.</p>
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<sup>40</sup> <http://ec.europa.eu/eurostat/web/products-statistical-books/-/KS-04-17-780>