

Roadmap for the Code of Conduct for Responsible Business and Marketing Practices Farm to Fork

Background and Process

The Code of Conduct (main goals and expected outcome)

The **Code of Conduct for responsible business and marketing practice** should provide a framework of concrete good practices and voluntary commitments on sustainability (including health/nutrition) for all actors in the food system. As a result, the Code will enable these actors to take concrete, voluntary actions, which will improve all aspects of sustainability of the EU food system. The Code, as part of the wider Farm to Fork strategy, primarily addresses both small and large companies active in food processing, wholesale, retail, and hospitality and food services sectors. Also, actions will be included which are relevant for other actors, such as primary producers, primary processors, traders input industries (seeds, feed, fertilizers etc), companies providing services to the food companies. The aim of the Code is also to promote cooperation in the food system, as many issues can be better addressed by concerted action.

By adhering to the Code, actors in the middle of the food chain (supported by other actors along the chain) will commit themselves to concrete and measurable actions. This will result in a more sustainable EU food system reducing the overall environmental footprint of the food value chain and improving peoples' health and quality of life.

Main deliverable of the process

A Code of Conduct covering the main areas of food sustainability i.e. environmental, economic and social sustainability and including:

- Agreed principles to improve the sustainability of the food chain (vision, endorsement, call for action),
- Agreement on aspirational targets – where possible quantitative – and commitment for action by signatories –,
- Additional voluntary measurable commitments by companies and associations, that go beyond current regulatory requirements and current voluntary agreements (among others relevant for marketing practises).
- A solid monitoring framework proportional to the commitments and the capabilities of various types of companies.

Structure and Content of the Code

The Code of Conduct should build on already existing and ongoing initiatives¹ and address all aspects of sustainability, in line with the objectives and targets of the Farm to Fork Strategy: “for a fair, healthy and environmentally-friendly food system”.

The Code could indicatively be structured as follows:

- An introduction and rationale, explaining the need / general purpose and structure of the Code, the aspirational objectives;
- Scope (whom it will address etc)
- Principles and general responsibilities
- General commitments
- Framework for specific commitments from individual companies, including specific monitoring
- Requirements on monitoring

The Code could consist of two main components, which will be developed in parallel.

- **The first component: Aspirations and specific actions that can be practically adopted by all actors, including companies ranging from very small to very large.** These aspirations and specific actions should contribute to the needed transition of the food system, and go beyond legal obligations and existing voluntary codes. The Code might also specify aspirations and specific actions for specific groups of actors, for example actors who offer and sell food, drinks or meals directly to consumers; and other aspirations and specific actions for actors who purchase products from primary producers. It may also differentiate between aspirations and specific actions that could be pursued by SMEs in the food system, taking into account their capacities, and minimising the additional burden stemming from those actions, including reporting obligations. Associations will be tasked in supporting their members to apply these specific actions towards these aspirations. Commitments on responsible marketing practices will be a crucial element.
- **The second component: A framework for establishing more ambitious commitments by companies with measurable outcomes.** Individual companies who are able to show leadership and demonstrate greater ambition will make further commitments. For example, these may be quantitative commitments on nutrition and other sustainability aspects, such as commitments to reduce companies’ environmental footprint.

Key elements which should be addressed in the commitments in the Code include:

- **To stimulate the uptake of healthy and sustainable consumption patterns,** by improving the food environment, and promoting healthy and sustainable products;
- **To facilitate the uptake of sustainable practices by all relevant actors in the food value chain,** including by incentivise primary producers (such as farmers and fishers) to improve their environmental performance, while contributing to fair incomes and good working conditions;

¹ Ongoing initiatives will be listed by working groups at their first meetings.

- **To foster further improvement of internal processes, operations and organisation** in food processing, retail and food service to ensure a high sustainability performance, responsible business and marketing practices. This includes the reduction of food waste and loss along the food value chain and promotion of circular economy principles.

Each actor should primarily act in the domain of the food chain for which the actor has primary responsibility whilst ensuring cooperation along the food supply chain.

Concrete topics to be addressed

During the process, the Commission will provide further guidance on concrete topics that should be covered by the Code as a minimum. The Commission will also provide guidance as to the required level of ambition given the constraints imposed by planetary boundaries, the targets of the European Green Deal, and the EU's commitment to meeting international targets (including the SDGs).

The current EU food system is facing major challenges in all aspects of sustainability, which need to be addressed urgently. This will require that the Code of Conduct at one hand stresses the need to implement good practices. For those actors who can the Code should be more ambitious. This ambition can amongst others be derived from internationally agreed objectives and goals, such as the Paris agreement (UNFCCC), Aichi Biodiversity Targets (CBD), Sustainable Development Goals.

Timing

The final text of the Code of Conduct should be ready by end of May 2021, and be opened for signature by associations representing those in the middle of the chain, individual companies, and other relevant stakeholders. The aim is to have the greatest number of signatures by the end of June 2021, but of course, others may follow after that date. In particular, it is noted that companies which have not yet been active in developing sustainability plans may need longer to develop specific commitments.

Process

In order to allow "listening to all voices", including all stakeholders and have a transparent modus operandi, two types of meetings will be scheduled.

- 1) Thematic Task Force meetings will be organised by the Commission and willing associations representing actors in the middle of the food chain. These meetings will be limited in participants and address technical issues of the Code.
- 2) General meetings, to be organised by the Commission, seeking consensus on proposed text, involving a wider range of stakeholders.

Throughout the process, and based on the discussions held at the general meetings and Task Force sessions, the Commission will decide on the building blocks and final content of the Code.

Member States will be involved along the process, to make sure that the content of the Code does not contradict national provisions in areas covered and to lend their potential support, particularly in identifying opportunities.

Thematic Task Force Sessions

Under the supervision of the Commission, the content of the Code will be prepared by the Task Force, which will cover multiple thematic sessions. If deemed necessary and if time allows, sub-groups can be established, either on an ad hoc or permanent basis. All thematic sessions should address all three layers of sustainability (environmental, social and economic).

No	Thematic Sessions	Scope (indicative)
I	Food consumption patterns (for healthy and sustainable diets)	<ul style="list-style-type: none"> ✓ Health and environmental impact of food consumption ✓ Responsible food marketing, labelling, product placement, product strategy, package design ✓ Product reformulation ✓ Reduction of food waste and losses (align with EU Platform on Food Losses and Food Waste), ✓ Food security and food procurement ✓ Information/communication to consumers? ✓ Attention for specific vulnerable groups <p>Given the width of this topic sub-groups may be needed.</p>
II	Improving the Impact of food processing, retail and food services' own operations on sustainability	<ul style="list-style-type: none"> ✓ Sustainable internal processes, operations and organisation ✓ Climate and biodiversity neutrality (incl. emissions, transport, etc.) ✓ Circularity and resource efficiency (incl. energy, water, food loss and waste, packaging, etc.) ✓ Skills and training ✓ Research and development ✓ Workers' health and safety
III	Improving the sustainability of the food value chain - in relation to primary producers and other actors in the chain	<ul style="list-style-type: none"> ✓ Focus on reducing the environmental impact and fostering sustainable management of natural resources in primary production (both in relation to EU and global sourcing) ✓ Decent work, supporting farmers' income, affordability, addressing inequalities, attention for specific vulnerable groups. ✓ Sustainable sourcing (incl. imported commodities, eliminating deforestation, due diligence) ✓ Animal welfare ✓ Climate and biodiversity neutrality (incl. emissions, transport, etc.) ✓ Resource efficiency and zero pollution ambition ✓ Skills and training ✓ Workers' health and safety

IV	Monitoring and evaluation	<ul style="list-style-type: none"> ✓ Design of monitoring framework ✓ Indicators ✓ Product data (nutritional composition and life-cycle analysis)
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Task Force Composition

- To ensure inclusiveness, transparency and timeliness, the Commission decides on the composition of the Task Force.
- Each part of the middle of the chain should be represented in the Task Force. In addition, representatives of other relevant food chain actors (e.g. farmers and fishers) as well as NGOs and other potential stakeholders will be selected to participate according to their respective expertise. The Commission will be represented in all meetings and sessions and will ensure stakeholder balance and be the guarantor of the collaborative spirit. In order to facilitate progress, the Task Force should not exceed 20 people (e.g. core group of middle chain stakeholders plus 5-9 other stakeholders). The composition will vary slightly according to the Thematic Chapters addressed by the Task Force.
- Task Force meetings will be organised by the Commission and willing associations representing actors from the middle of the food supply chain. Selected companies may participate where their specific expertise is required (e.g. for the Thematic Chapter on Monitoring and Evaluation).
- The Task Force will appoint a Chair and Rapporteurs. The Rapporteur will prepare building blocks for the code as well as brief reports (max 2 pages) on the discussions held at meetings and respective conclusions/recommendations. The Chair will be the Task Force’s main spokesperson.
- Together with the Rapporteurs and Commission representatives, a **Drafting Committee** will be constituted and tasked to submit the draft content for the Code to the General Meetings for discussion, review and feedback by all stakeholders represented therein. This will ensure a fully transparent and inclusive collaborative process in the Code’s design. The Task Force will take into consideration all feedback received at the General Meetings when preparing the final draft in time for the GM in May.
- Meetings will be organised remotely, by using the application of choice of the organisers (e.g. Webex, Teams).
- Stakeholders willing to engage in the co-design process of the Code of Conduct will be given the opportunity to express their preferences regarding the Task Forces’ thematic sessions (corresponding to the Code’s Chapters) to which they would like to contribute (e.g. through a Slido poll/SurveyMonkey) to be organised by the Commission.
- Taking into account the preferences expressed, the composition of the Task Force will be determined by the Commission to reflect a fair representation of stakeholders and the topics that will be discussed.

A cooperative spirit between stakeholders is required, as collaboration between different food system actors will be needed to address challenges in an integrated and effective way.

By working this way, the Commission wants to stimulate constructive discussion in a speedy and collaborative manner, that recognises different interests and builds trust between the different stakeholders in the food value chain and beyond, while guaranteeing transparency and full stakeholder involvement by means of the General Meetings.

Time is of the essence. In order to advance quickly, the frequency of meetings should be as follows:

Month	Purpose of Meeting	General Meeting	Task Force Meeting (indicative)
February	<ul style="list-style-type: none"> Detailed presentation of the process Start work on introduction / rationale; scope and principles Presentation of outcomes of the business and biodiversity platform workshop 	1	2 (if possible)
March	<ul style="list-style-type: none"> Work on the content of the Code Work out monitoring and evaluation framework 	0-1 (depending on the number of Task Force meetings)	3-4
April	<ul style="list-style-type: none"> Present progress to General Meeting 	1	3
May	<ul style="list-style-type: none"> Integrate feedback from General Meeting and approve the final draft of the Code 	1	3
June	<ul style="list-style-type: none"> Signatory Launch + Monitoring Framework 	1	0

General Meetings (GM)

- The Commission will organise General Meetings where all stakeholders (associations representing food business operators, companies, consumer groups, public health associations and NGOs) will be invited together with the Task Force:
 - The first meeting in February will be a kick-off event where the process will be explained in detail;
 - The meeting in early June will be the launch of the signature process and the monitoring framework.
- Minutes of the plenary meetings will be made available.
- During these meetings, the Chair of the Task Force will be invited to present the progress achieved so far on the content of the Code. Consensus will be sought as far as possible. The Commission will have a final say in defining the content of the Code.
- The last GM will take place in June 2021 and will be the occasion to open the Code for signature by stakeholders (beyond those involved in the co-design process), including SMEs and to launch the monitoring process. As of then, companies signing the Code will be invited to make concrete pledges to contribute to its objectives and targets.

Role of the European Commission

The Commission will decide on the composition of the Task Force and on the final content of the Code. The Commission will participate in all meetings and will act as an honest broker to ensure a constructive dialogue, to keep the positive spirit of collaboration and, where needed, to arbitrate on matters where disagreements between different actors might arise. Moreover, its guidance on the level of ambition of the Code's aspirations early on in the process will be indispensable to its overall relevance, taking into account the existing legislative framework and ongoing initiatives.

Drafting Committee

The main components of the Code will be drafted by the Task Force, supported where needed by the Commission. If necessary, ad hoc drafting sessions may be organised in parallel to the thematic sessions and General Meetings with the Task Force' Chair, thematic Rapporteurs and the Commission to fine tune the drafted text.

Working Principles

Competition compliance: All signatories and persons involved in the development of the Code of Conduct for responsible business and marketing practices (the Code) will work to ensure that the Code promotes activities which fully respect and enact all applicable laws and regulations, in particular EU and national competition rules. Participants will not share information that could amount to information sharing under EU competition rules.

Transparency. All participants have equal access to all the information related to the work of the Task Force sessions and of the General Meetings (including agendas, working documents and minutes).

Inclusiveness. All participants have the possibility to contribute actively to the work and express their views. The design process of the Code is open to all stakeholders with a view to have all the relevant actors of the food supply chain involved in the work.

Positive collaboration. The design process of the Code is envisaged as a process with positive values, including open-mindedness, tolerance and respect. All views can be expressed and listened to. It is in the common interest of the participants to work together in order to deliver the collective vision and quantitative commitments to be included in the Code and identify the common challenges and opportunities.

Active participation. All participants provide inputs and contribute to the collective work within their remit and area of expertise. Participants try to ensure their stable and continuous participation to the work.

Delivery. The General Meeting is focused on delivering the Code by June 2021. The Task Force organises the thematic sessions in order to deliver the aspirational targets within the set deadlines, and in respect of the commitment of the participants to work together, each within their own competencies and responsibilities. They build on existing and future initiatives to avoid duplication of work. The Task Force Chair, together with the thematic rapporteurs, and the Commission steer the work and keep focus on delivery, within this context.

Consensus. The General Meeting, in principle, works by consensus, entailing that the participants have collective discussions and negotiations to identify the solutions that gather the highest possible number of positive opinions and the lowest possible number of objections. The Task Force will also work by consensus. The Chair steer the discussions and negotiations in a neutral way.

Conciliation. Where consensus is not reached, the Task Force Chair runs a conciliation process to build a consensus or, if not successful, issues a recommendation. If the Task Force still does not reach a consensus, the Commission will take a final decision on the matter in a constructive spirit, building on the discussions held in said thematic session.

The Task Force drafts the Code. The Task Force, through its thematic sessions, will draft the Code, with the support of the Commission where necessary. The Rapporteurs organise the draft. When and where

needed, Drafting Committee will address any concerns and the Commission will decide on the final content of the Code.

The General Meeting. The General Meeting advises, monitors and confirms work progress. The Task Force drives the operational work and their Chair reports to the General Meeting on work progress. The General Meeting is representative of the participants in the design process of the Code and includes the Chair, thematic rapporteurs, sectoral associations, individual companies and NGOs.

Knowledge sharing. The participants aim at sharing knowledge, expertise and best practices along the food supply chains.

Common language. The General Meeting and the thematic Task Force sessions use consistent terminology and definitions.

Secretariat. The European Commission (DG GROW, DG SANTE and DG ENV), acts as a secretariat of the General Meeting with a view to facilitate and support the work, and provides support to the Task Force in drafting the Code, where necessary. The secretariat convenes the General Meetings. The Task Force Chair provides the secretariat with the agenda of their (thematic) meetings.

Review. The General Meeting may review the present Roadmap.