

Legislative framework for a Union sustainable food system

**ADVISORY GROUP ON THE FOOD CHAIN AND
ANIMAL AND PLANT HEALTH**

6 May 2022

European Union



General state of play

- IIA published end of September 2021 : 230 contributions received
- Selection of external contractor for the consultation of stakeholders
- In parallel, elaboration of the different policy options
- Impacts of the different policy options to be now analysed by JRC



Consultation activities for the FSFS

➤ OPEN PUBLIC CONSULTATION:

- Launched on 28 April 2022 in all EU languages
- 12 weeks of consultation –end by 21 July 2022

➤ WORKSHOPS with EP, EESC, CoR, relevant EU agencies:

- Planned for end of May/June 2022

➤ TARGETED STAKEHOLDER CONSULTATIONS:

- Being organized by SANTE external contractor (Ecorys)
- Interviews – May/June 2022
- Targeted surveys – June/July 2022
- Stakeholder workshops – September 2022



New framework legislation on a Union sustainable food system

OVERARCHING OBJECTIVE:

- *Set the foundations for the **systemic changes** that are needed by all actors of the food system, including policy makers, business operators and consumers in order to **accelerate the transition to a sustainable EU food system.***

OVERARCHING SCOPE:

- *The FSFS will target the entire EU food system and will address issues relating to:*
 - Sustainability of **products**
 - Sustainability of **operations**



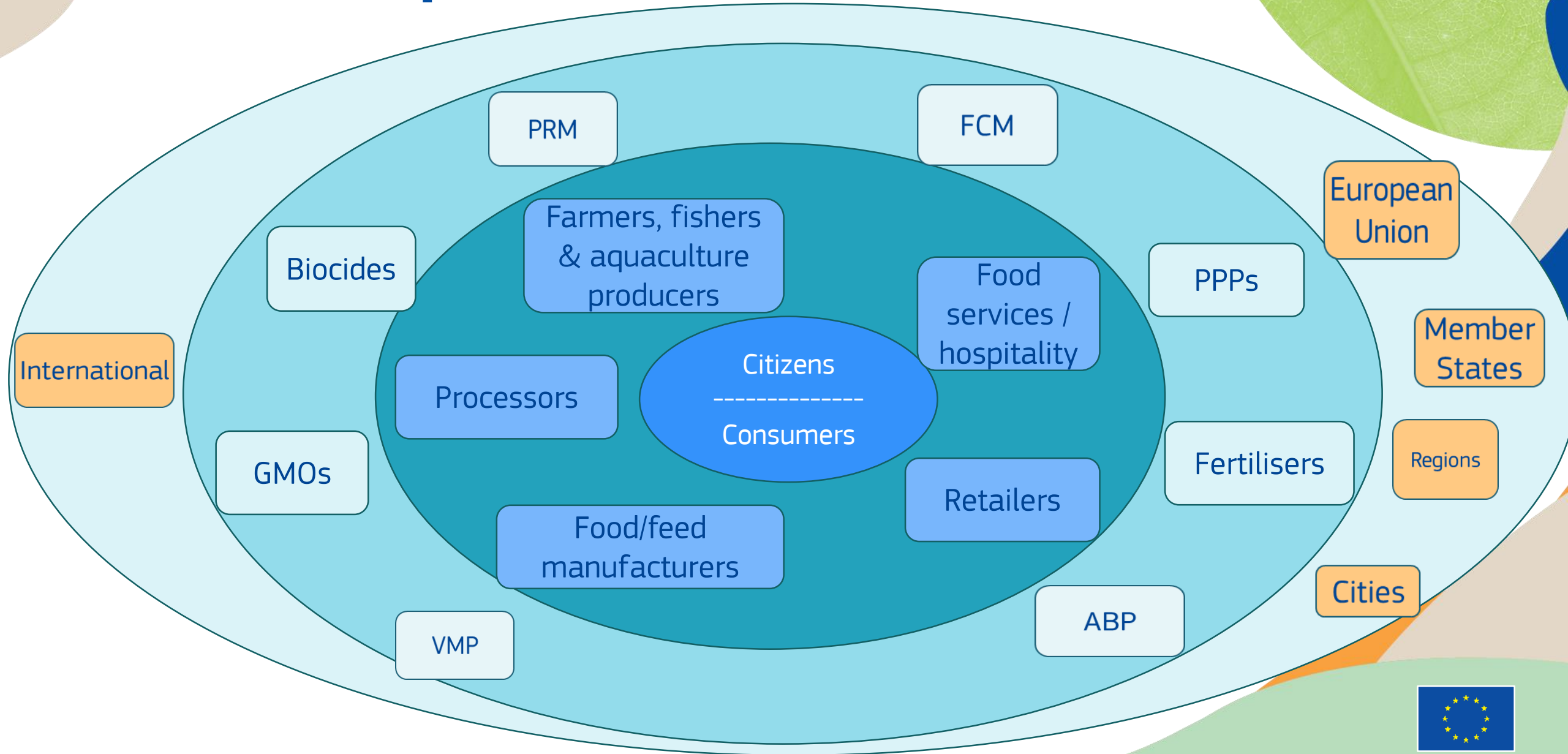
Elements - other than push and pull measures - of the FSFS

- Common definitions: e.g. (food system/ sustainable food system/ food environment/food system actors/sustainable diets)
- General objectives to be pursued vis-à-vis sustainability of the food system in all future Union and national law, anchoring in law the objectives of the F2F communication;
- General principles targeting policy makers: future and existing legislation will be aligned/adapted where relevant to those principles.
- Governance provisions to frame and encourage multilevel engagement
- 'Favourable food environment' provisions
- Enforcement provisions

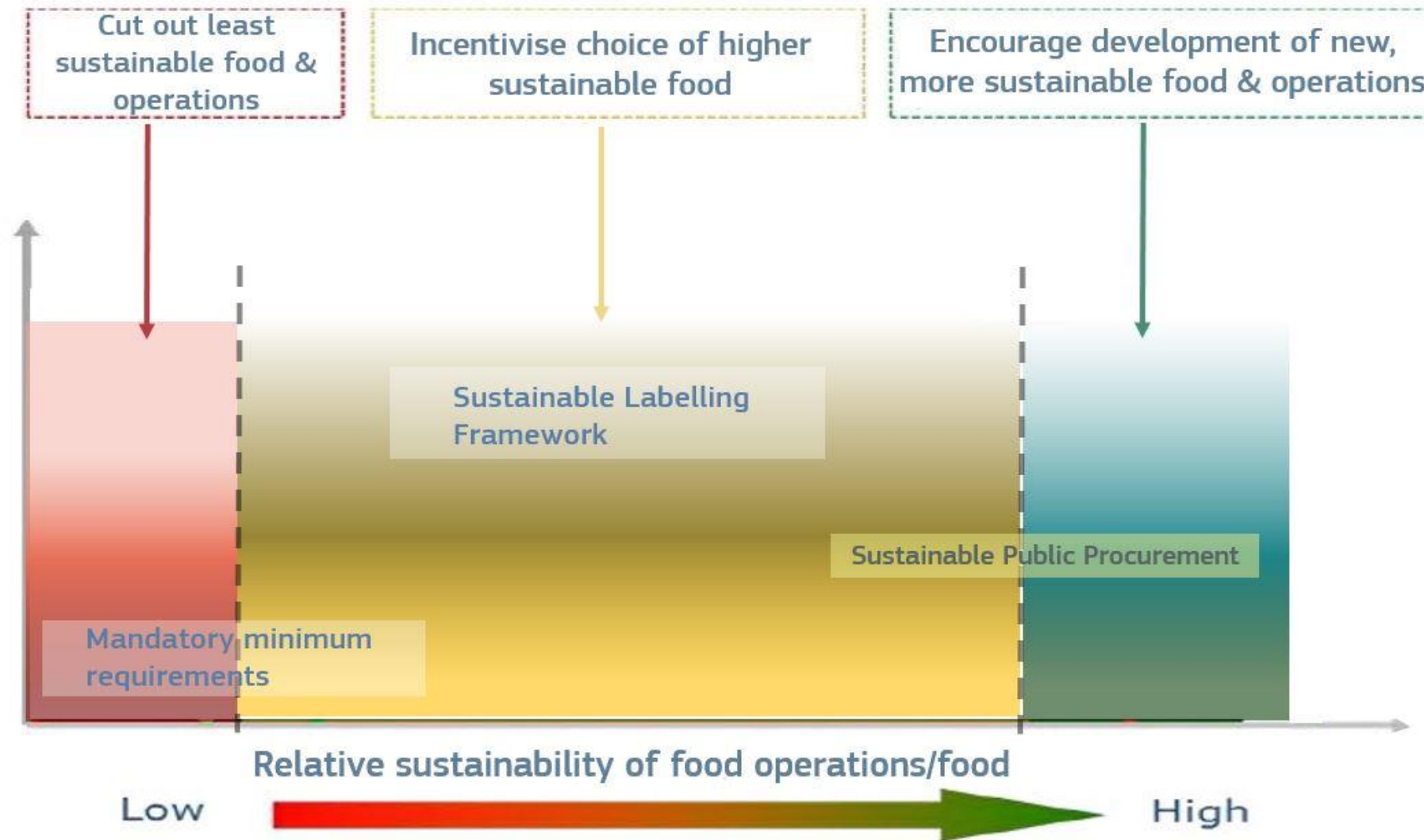
→ The above provisions are necessary to ensure the progressive '**paradigm shift**' to a sustainable food system. Due to the nature of these building blocks, they are not pertinent for the IA, as they are addressed to regulators/competent authorities or do not result in immediate impact without more specific sectoral rules.



Broad scope



Push and pull measures to be analysed in the IA



Push measures

PROBLEM TO TACKLE: *sustainability is not taken up systematically by business operators in the design of their food system operations/products with negative environmental, social and economic impacts for all actors involved.*

OPTIONS IN THE FSFS FOR PUSH MEASURES				
Option 0	Option 1	Regulatory options		
		Option 2	Option 3	Option 4
Do nothing	Voluntary	Increasing compliance with sustainability standards by explicitly establishing the primary responsibility of business operators (strengthened due diligence) for sustainability purposes	Elimination from the Union market of the least sustainable food system operations/products by setting minimum sustainability requirements based on the – ‘do no harm principle’	
			3 A - Only products produced in the EU	3 B – Products produced and placed in the EU (imports are covered in the scope)
				A combination of both options 2 (primary responsibility) and 3 (sustainability requirement)



More in detail

OPTIONS IN THE FSFS FOR PUSH MEASURES					
Option 0	Option 1	Regulatory options			
		Option 2	Option 3	Option 4	
Do nothing	Voluntary	Increasing compliance with sustainability standards by explicitly establishing the primary responsibility of business operators (strengthened due diligence) for sustainability purposes	Elimination from the Union market of the least sustainable food system operations/products by setting minimum sustainability requirements based on the – ‘do no harm principle’		A combination of both options 2 (primary responsibility) and 3 (sustainability requirement)
			3 A - Only products produced in the EU	3 B – Products produced and placed in the EU (imports are covered in the scope)	
The baseline is characterised by the “no policy change” scenario, where the current acquis would remain unchanged and all current measures and processes in the food system remain in force.	Voluntary approaches that go beyond legal requirements, such as policy guidelines and/or private initiatives such as codes of conducts. No legislative initiatives.	A general primary responsibility (strengthened due diligence) for business operators involved in the food system to ensure that their internal operations/processes and/or products, within their businesses and under their control satisfy any sustainability-related requirements of EU/national law and to verify that such requirements are met.	Minimum sustainability requirements, based on the ‘no harm’ principle, requiring business operators to ensure that their operations on the EU territory and the food or feed that they are placing on the EU market do not significantly harm identified sustainability objectives, focusing on certain “non-negotiable” qualifiers around the three dimensions of sustainability.	Minimum sustainability requirements, based on the ‘no harm’ principle requiring business operators (EU and non EU) to ensure that their operations and the food or feed produced and placed on the EU market do not significantly harm identified sustainability objectives, focusing on certain “non-negotiable” qualifiers around the three dimensions of sustainability.	Cumulative 2 and 3



Pull measures – sustainable public procurement

PROBLEMS TO TACKLE:

- *food system actors not systemically realising sustainable food operations*
- *lack of targeted incentives to produce sustainable food*
- *food environment predisposed to unsustainable choices*

Options in the FSFS for pull measures: Sustainable Public Procurement (SPP) of Food			
Option 0	Option 1	Option 2	Option 3
Do nothing	Voluntary	General provisions and requirements aiming to raise awareness and improve skills and knowledge of SPP procurement, capacity building and support local authorities in using public procurement strategically	Mandatory general and specific requirements



More in detail

Options in the FSFS for pull measures: Sustainable Public Procurement (SPP) of Food			
Option 0	Option 1	Option 2	Option 3
Do nothing	Voluntary	General provisions and requirements aiming to raise awareness and improve skills and knowledge of SPP procurement, capacity building and support local authorities in using public procurement strategically	Mandatory general and specific requirements
<p>Maintain the baseline, implementation of Directive 2014/24/EU on public procurement, and the use of current Commission guidance documents:</p> <ul style="list-style-type: none"> • EU Green Public Procurement (GPP) criteria for food, catering services and vending machines. • Buying Social - a guide to taking account of social considerations in public procurement 	<p>Extend current guidance on Green Public Procurement (GPP) to cover the three dimensions of sustainability, and in particular healthy diets.</p> <p>No legislative action foreseen.</p>	<ul style="list-style-type: none"> • Extend the European Commission E-competence center with tools and information to help public buyers with sustainable food public procurement; • Establish an EU network of food procurement professionals; • Create centralized MS focal points. • Require MS to set up national action plans 	<ul style="list-style-type: none"> • Introduction of a general mandatory requirement of procuring sustainably with a clear reference to the environmental, social-health and economic dimension of sustainability of food products and some related operations. • Empowerment to the Commission to adopt delegated/implementing acts to specify the SPP criteria. • Providing for the setting of national minimum (mandatory) targets with timelines as part of national action plans.



Pull measures – sustainability labelling

PROBLEMS TO TACKLE:

- *Insufficient transparency on sustainability across the food system*
- *Food environment predisposes consumers to unsustainable choices*
- *Food system actors have social, economic, cultural biases that prevent food environment to be sustainable*
- *Lack of targeted incentives to produce/sell sustainable food*

Options in the FSFS for pull measures: Sustainability labelling				
Option 0	Option 1	Regulatory options		
		Option 2	Option 3	Option 4
New EU framework for sustainability labelling				
Do nothing	Voluntary	Reinforcing existing legislation	Optional EU sustainability label	Mandatory EU sustainability label



Pull measures – sustainability labelling

Options in the FSFS for pull measures: Sustainability labelling				
Option 0	Option 1	Regulatory options		
		Option 2	Option 3	Option 4
New EU framework for sustainability labelling				
Do nothing	Voluntary	Reinforcing existing legislation	Optional EU sustainability label	Mandatory EU sustainability label
<p>Currently applicable EU food labelling legislation remains in force.</p> <p>Upcoming vertical <u>sustainability component specific</u> labelling initiatives (e.g. front-of-pack nutrition labelling (nutrition), “green claims” (climate/environment)) are adopted and implemented.</p>	<p>Voluntary approaches that go beyond legal requirements would be developed by the Commission such as guidelines or private commitments are incentivised such as Memorandums of Understanding or codes of conduct.</p>	<p>Sustainability labelling provisions related to <u>more than one sustainability component</u> (e.g. environmental + social sustainability) are developed in sector specific legislation (e.g. Fisheries Marketing Standards).</p>	<p>1/ Development of an EU general framework for sustainability-related food information to consumers applicable to all foods (scope, definitions, objectives and principles/general rules)</p> <p>2/ Development of a voluntary EU sustainability label for EU and imported food products:</p> <ul style="list-style-type: none"> • Sub-option 3a: optional label applicable only to food products of higher sustainability performance • Sub-option 3b: optional label applicable to all food products 	<p>1/ Development of an EU general framework for sustainability-related food information to consumers applicable to all foods (scope, definitions, objectives and principles/general rules)</p> <p>2/ Development of a mandatory harmonised EU sustainability label on EU and/or imported food products</p> <ul style="list-style-type: none"> • Sub-option 4a: mandatory label for all EU food products and voluntary for imported food products • Sub-option 4b: mandatory label for all EU and imported food products



Thank you !

