



EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Food and feed safety, innovation
Food information and composition, food waste

SUMMARY REPORT

EU PLATFORM ON FOOD LOSSES AND FOOD WASTE: SUB-GROUP ON FOOD DONATION

DG HEALTH AND FOOD SAFETY (SANTE)

3rd meeting

Brussels, 36 Rue Froissart (Albert Borschette building), Room AB-0A

19 March 2018 – From 14:00 to 18:00

Chair: Alexandra Nikolakopoulou, *Head of Unit, Food information and composition, food waste, DG SANTE*

Commission: DG SANTE: Anne-Laure Gassin, Dora Szentpaly-Kleis, Bartosz Zambrzycki, Manuela Marcolini; **JRC:** Carla Patinha Caldeira; **DG AGRI:** Olivier Diana.

Member States represented:

BE, DK, ES, FI, HR, IT, LT, LV, NL, PL, RO and SI

Private sector organisations:

EUROCOMMERCE; FEEDBACK GLOBAL; FOODCLOUD; FOODDRINKEUROPE (FDE); FOODWIN; HUNGARIAN FOOD BANK ASSOCIATION; INDEPENDENT RETAIL EUROPE; LES RESTAURANTS DU COEUR and WAGENINGEN UR

Invited organisations:

INTERUNIVERSITAIR MICRO-ELEKTRONICA CENTRUM (IMEC); VILABS and ECORYS.

1. WELCOME AND ADOPTION OF THE AGENDA

The Chair welcomed members and presented the agenda, adding a point under AOB following a request from FOODDRINKEUROPE who wished to share information on new tools developed by its members to support food redistribution efforts. Further on, the Chair introduced the first item on the agenda relating to the EU pilot project on food redistribution.

2. FOOD REDISTRIBUTION IN THE EU: ANALYSIS OF EXISTING FRAMEWORKS AND DISSEMINATION OPPORTUNITIES – PRESENTATION BY ECORYS AND WAGENINGEN UNIVERSITY AND RESEARCH

The contractors responsible for the implementation of the EU pilot project, Ecorys and Wageningen University & Research (UR), presented an overview of the project's overall organisation, main deliverables and highlighted how Platform members would be involved in the implementation.

Referring to a similar project carried out at national level, FI inquired about the strategy for stakeholder engagement. Ecorys explained that the project has a vast network of experts and organisations which offer continuous feedback, while interviews will be carried out on a national level by contact points established for each Member State. Wageningen UR added that the project offers multiple opportunities to receive input and interact with relevant actors as well as broader stakeholder outreach.

FOODDRINKEUROPE expressed support for the project and requested a mapping of tasks in which the business sector would be consulted on, in order to prepare accordingly.

IMEC (who was invited to the meeting to contribute to the presentation of the Saving Food project under agenda item 6) confirmed the value of this project. IMEC pointed out a listing of online platforms for food redistribution compiled under the Saving Food project and suggested that the contractor should also look into past initiatives for learning both about their achievements as well as possible reasons behind their failure.

The Chair emphasized that active engagement of Platform members is crucial for the successful outcome of the project, which aims to analyse existing operational frameworks for food redistribution in Member States and further reinforce the EU guidelines on food donation. She then encouraged members to engage with the contractor at relevant steps in the programme.

In response to PL's request, the Chair confirmed that all presentations would be made available after the meeting on the Platform's Digital Network and the Commission's website.

3. REDISTRIBUTION OF SURPLUS FOOD: EXAMPLES OF PRACTICES IN THE MEMBER STATES – DISCUSSION OF THE DRAFT DOCUMENT OF THE EU PLATFORM ON FOOD LOSSES AND FOOD WASTE

The Chair explained that the document has been initially created to complement the EU food donation guidelines and aims to describe how Member States implement relevant legal provisions to facilitate food donation on a national level. The document addresses areas where, respectively, EU legislation and national rules prevail. The current draft tabled at the meeting is based on the input received from Member States. Ecorys will be in charge of collecting information from Platform members and editing the document, which follows the structure of the EU guidelines.

Several members welcomed the initiative and the fact that it followed the structure of the EU guidelines (DK, FI, NL, LT, PL, HR) and asked whether it was still possible to contribute to the document. The Chair encouraged members to send their feedback by the end of April via the Sante-Food-Waste functional mailbox. Later on, the document will be further elaborated

by the contractor and presented to the sub-group on food donation in autumn 2018 prior to its presentation and validation by the whole Platform by end 2018.

In response to a question raised by ES concerning the opportunity of including future developments related to food donation practices, the Chair explained that this would be a living document which can be updated on a regular basis, to include relevant initiatives. She further specified that the document would be a specific output of the EU Platform on Food Losses and Food Waste rather than a legislative initiative of the Commission as such.

Replying to a query from ES regarding use of past contributions, the Chair asked that members resend any contributions previously provided to the Commission during the elaboration of the EU food donation guidelines, should they consider the input to be relevant for the elaboration of the Platform's document on Member State food redistribution practices.

In regard to a question from DK concerning the contractor's use of documents provided in a language other than English, Wageningen UR explained that, due to time constraints, they would initially focus on information available in English. At a later stage, the project aims to translate all relevant food donation guidelines issued across Member States available in other languages than English (input from Platform members has been sought to identify such documents).

When asked about the purpose of the table on pages 9-10 (FI), Wageningen UR clarified that the table's columns correspond to sections of the EU guidelines, offering Member States a visual guide to check whether they have provided information about each of the existing categories. The table was utilised simply to help guide the elaboration of the document but would not be included as such.

In reply to ES' question on the type of initiatives which could be referenced, the Chair explained that all type of actions (local, regional, national) can be considered as long as these are recognised by the competent ministries or other relevant authorities. She also reminded members however, that where EU legislation requires notification of technical measures taken by Member States, (cf page 23, section addressing "freezing of surplus food to facilitate redistribution"), only measures which have been notified to the Commission by Member States can be included in the final document.

In regard to NL's remark on the terminology employed in the document, the Commission explained that the terms 'receiver organisation', 'back-line organisation' and 'front-line organisation', together with their definitions have been sourced from the EU food donation guidelines. Given the different terms utilised in Member States, this terminology was employed in order to clarify the different legal provisions which may apply for instance to organisations redistributing food from one entity to another "redistribution organisations" (often called "food banks" in Member States) vs "charity organisations" which distribute food directly to the end beneficiary. HFBA further explained that, in the EU, the NL is rather the exception in utilising the term "food bank" when referring to charities which distribute food directly to consumers.

4. RECOVERY AND REDISTRIBUTION OF AGRICULTURAL AND FARMING SURPLUS – PRESENTATION BY THE COMMISSION

The Commission outlined in its presentation how free distribution of fruit and vegetables is supported by EU Regulation 1308/2013 on Common Organisation of the Markets in

agricultural products (CMO). Crisis prevention and management measures under the CMO offer producer organisations the possibility to withdraw quantities of fruit and vegetables from the market, while national authorities decide on the possible destinations for the produce. One of the destinations is free redistribution, for which financial support is fully provided by the EU within the limit of 5% of the total volume of market production of each producer organisation.

EU financial assistance is capped at 50% to 60% of the expenditures incurred for non-food use destinations such as composting, fertiliser, energy conversion etc., while costs related to market withdrawals of fruit and vegetables for free redistribution are covered in full. However, in the case of the latter, the EU financial assistance is limited to a maximum of 4.6% of the value of the marketed production in case of crisis prevention and management measures as indicated under Article 34(2) of Regulation (EU) 1308/2013. The Commission explained that by granting a higher contribution rate, the EU prioritises product withdrawal for redistribution to people in need through charities as well as other institutions approved by Member States.

According to the new rules laid down in the Delegated Regulation (EU) 2017/891, withdrawal prices for fruit and vegetables have increased from 30% to 40% of the average EU market price over the last five years for free redistribution and from 20% to 30% for withdrawals destined for other purposes. Eligible expenditures include logistical costs (transport, sorting and packing for free redistribution), but also the processing of fruit and vegetables into products intended for final recipients as long as there is no resulting distortion of competition for the industries concerned. In order to avoid such effects, national rules must be put in place.

The presentation ended with an update on the last meeting of the Committee for the Common Organisation of agricultural markets held on 28 February 2018 where Member States exchanged practices on food redistribution of withdrawn products. IT presented their experience in implementation of CMO rules to facilitate free redistribution of fruit and vegetables and proposed some improvements to the existent legislation in order to encourage food donation from the fruit and vegetables sector, including processing to facilitate further redistribution. CMO experts have been asked to provide the Commission with a description of how CMO rules are applied at national level to facilitate food donation as well as their possible suggestions as to how to improve EU legislation, by 30 April 2018. Replies will be analysed by the Commission who will prepare a case study presenting the best practices in Member States related to CMO to be included in the draft document of the EU Platform on FLW regarding Member States' food redistribution practices.

SI inquired about the main beneficiaries of the financial assistance as well as the eligible costs. The Commission explained that support was given to the Producer Organisations and that the eligible expenses could be found in the Regulation's annex according to the type of fruit or vegetables withdrawn.

5. FOOD WASTE REDUCTION BY DEVELOPING LEGISLATION: THE *LEX FOOD WASTE* PROJECT – PRESENTATION BY THE MINISTRY OF AGRICULTURE AND FORESTRY FINLAND

FI presented an overview of the research project '*Lex Food Waste*' which aims to evaluate existent legislation and assess its role in preventing and reducing food waste, but also in the area of food redistribution.

The Commission and DK highlighted the value of the project to support food waste prevention and food donation. DK further emphasized that food waste prevention should focus on the need to prevent generation of surplus food (and not only facilitating its redistribution) and expressed hope that the final report of the project would be available in English.

6. PRESENTATION AND DISCUSSION WITH MEMBERS REGARDING THE SAVING FOOD PROJECT INCLUDING PRELIMINARY CONCLUSIONS OF POLICY WORK BY PROJECT COORDINATOR AND PARTNERS – PRESENTATION BY VILABS, INTERUNIVERSITAIR MICRO-ELEKTRONICA CENTRUM (IMEC), HUNGARIAN FOOD BANK ASSOCIATION, FEEDBACK, BOROUME AND FOODWIN

IMEC took the floor and presented an overview of the Saving Food project, referring to its objectives, main partners, strategy and activities. The Hungarian Food Bank Association mentioned opportunities to replicate the project with a focus on its results, target actors and key success factors.

FEEDBACK offered an overview of the organisation's work in promoting food redistribution to charities from farms and farmers' markets: the rationale for such an approach, the scale of opportunity for farm level redistribution, the barriers and enablers. Recommendations were made for both civil society and policy makers.

Several members welcomed the project, the learning provided and its outcomes (FI, NL, DK, LT, FoodCloud).

FI inquired about ways to motivate farmers to get involved in food waste prevention activities, as well as the possibility to create auxiliary channels of distribution which could bring an extra income for primary producers. IMEC explained that food waste was a serious matter and that its prevention concerned all farmers; however it was essential to bring more visibility to the topic of gleaning through media channels and to build trustworthy networks by engaging with the farming community. IMEC stressed that gleaning can be a source of income for farmers and Feedback also underlined farmers' dislike for food waste and the opportunity that gleaning can provide to reconnect directly with their customers.

The Commission expressed interest in gaining further information about new food redistribution models (such as gleaning and the role of ICT networks) and the barriers that these might face on both local and national levels. In reply to a question from DK regarding possible legal barriers encountered, HFBA explained that motivation and knowledge gaps regarding the applicable legal framework were sometimes the most important impediments to food redistribution from the agricultural sector rather than legal constraints. Several actors in the food supply chain - farmers, businesses and the Horeca sector - often lack a good understanding of the complex legal framework. According to a study carried out by the Kaunas University of Technology (LT), the main reasons why primary producers do not donate surplus produce have to do with lack of knowledge on how to donate, prior negative experiences, lack of time, lack of logistics, mistrust in charity organisations etc. The Commission encouraged LT to share an English summary of the study via the Platform's Digital Network.

NL highlighted that the scope of the Waste Framework Directive does not cover food that has not been harvested, thus the future EU food waste measurement methodology would not

account for produce redistributed through gleaning activities. FEEDBACK suggested that food before harvest should be measured, considering it 'food waste' rather than 'food loss' which implied a lack of human agency. The Commission explained that the food waste definition agreed in 2017 by co-legislators as part of the revision of Waste Framework Directive is based on the definition of food laid down in the General Food Law, which only considers harvested food. However, further action could be taken to monitor and report on food losses and waste falling outside the scope of the Waste Framework Directive. It was suggested that such opportunities could be discussed in the food waste measurement subgroup which will also contribute to discussion on the elaboration of food loss and waste indicators for global monitoring of SDG 12.3.

DK called for an EU standard on gleaning and proposed to include a chapter on such activities in the EU food donation guidelines. The Commission indicated that the practice of gleaning had already been referenced in the EU guidelines on food donation and proposed to address the topic in the Platform document on Member States' practices in food redistribution. Further discussion on barriers to food redistribution, including those which may need to be addressed at EU level, could take place once the findings from the EU food redistribution project (regarding both legal and operational frameworks) become available.

In response to a query from FOODCLOUD regarding measurement of the impact of the Saving Food project, IMEC referred to a combination of methodologies which included self-reports from the organisations involved, specific metrics (*e.g.* on motivation) or data from the on-line platform (*e.g.* number of participants per event). Users returned to the platform because of its accessibility and due to regular interaction with the platform facilitated through email notifications.

As regards logistics (FOODCLOUD), IMEC explained that the large amounts of gleaned products were redistributed or further processed by using the existing national infrastructure, sometimes with the help of relevant organisations (*e.g.* food banks). Due to limited resources, the project did not measure the amount of food waste avoided.

7. AOB

FOODDRINKEUROPE announced the launch of four video case studies from large companies and SMEs which illustrate concrete activities related to food redistribution as a follow-up of the *Every Meal Matters* food donation guidelines co-produced with European Federation of Food Banks (FEBA) and with the support of EuroCommerce (European Retailers). The videos will also be made available on the Platform's Digital Network.

In closing the meeting, the Chair thanked all members for their participation and required further input and feedback on the Platform's draft document on food redistribution practices across Member States by the end of April 2018. The Commission will then come back with a new draft proposal late September 2018.