



INFORMAL COMMISSION EXPERT GROUP

EU PLATFORM ON FOOD LOSSES AND FOOD WASTE

TERMS OF REFERENCE

1. BACKGROUND

The EU and its Member States (MS) are committed to meeting the food waste reduction target adopted by the United Nations General Assembly as part of the 2030 Sustainable Development Goals. As called for in the Communication on 'Closing the loop – an EU action plan for the Circular Economy'¹, the Commission set up a group of experts, in 2016, in order to support the achievement of Sustainable Development Goal (SDG) Target 12.3 on food losses and food waste² and maximise the contribution of all actors.

The EU Platform on Food Losses and Food Waste (FLW), hereinafter referred to as 'the Platform', is an informal Commission expert group established at the level of the Commission's Directorate-General for Health and Food Safety ('DG SANTE'). It operates in accordance with the Commission's horizontal rules for expert groups³ ('the horizontal rules') and is registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁴.

In its first mandate (2016-2021), the overall mission of the Platform was to support the Commission, Member States and all actors in the food value chain in achieving the SDG Target 12.3 without compromising food safety, feed safety and/or animal health. Its work is of a horizontal nature, aiming to identify opportunities for food waste prevention across the food production and consumption chain, in line with the waste hierarchy⁵, and facilitate inter-sector cooperation.

¹ [EU Action Plan for Circular Economy](#), COM(2015)614.

² The Sustainable Development Goal (SDG) Target 12.3 has, by 2030, the objective of halving per capita global food waste at the retail and consumer levels and reducing food losses along production and supply chains, including post-harvest losses. <https://www.un.org/sustainabledevelopment/sustainable-consumption-production>

³ Commission Decision C(2016)3301.

⁴ <http://ec.europa.eu/transparency/regexpert/index.cfm>

⁵ [Brief on food waste in the European Union](#), European Commission, 2020.

The Platform facilitated sharing of information, learning and best practice related to food waste prevention and it provided a forum for exchange on national food waste prevention programmes, monitoring of food waste levels and progress made towards the SDG Target 12.3.

The Platform has also supported the Commission in implementing the relevant actions foreseen under the EU action plan for the Circular Economy, mainly to develop a common methodology and indicators to measure food waste⁶; to clarify EU legislation related to waste, food and feed through dedicated EU guidelines in order to facilitate food donation⁷ and utilisation of former foodstuffs as animal feed⁸, and to explore options for more effective use and understanding of date marking on food.

Furthermore, the Platform supported all actors in identifying and implementing appropriate actions to take at national, regional and local levels, formulating key recommendations for action⁹ in food waste prevention at each stage of the food supply chain. The Platform helped the Commission develop a common evaluation framework¹⁰ for food waste prevention actions and a calculator¹¹ for the environmental and economic impacts of food waste prevention actions.

As called for by the EU's Farm to Fork Strategy¹², the Commission will pursue efforts to reduce food loss and waste as part of an integrated food systems approach. It will propose, by end 2023, legally binding targets to reduce food waste across the EU as well as a revision of EU date marking rules by end 2022. Food losses at the production stage will also be investigated.

According to the assessment of progress made in implementing the Council conclusions on food losses and food waste, under the German Presidency of the Council of the European Union¹³, Member States have benefited from the exchange of information and experience made possible by the Platform, which have often inspired further action at national level. The Farm to Fork Strategy also points to the role of the Platform's recommendations for action¹⁴ in helping to show the way forward for all actors.

In order to support actions laid down under the Farm to Fork Strategy and help to scale-up action across the EU - mobilising Member States, food businesses and civil society to accelerate progress towards SDG Target 12.3 - the Commission will renew the Platform's mandate for another 5-year term (2022-2026).

⁶ https://eur-lex.europa.eu/eli/dec_del/2019/1597/oj

⁷ [EU Food donation guidelines](#), 2017.

⁸ [EU Guidelines for the feed use of food no longer intended for human consumption](#), 2018.

⁹ [Recommendations for action in food waste prevention](#), December 2019.

¹⁰ [Assessment of food waste prevention actions](#), Joint Research Centre, 2019.

¹¹ [Calculator for impacts of food waste prevention actions](#), Joint Research Centre, 2019.

¹² [A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system](#), COM/2020/381.

¹³ [Food losses and food waste: assessment of progress made in implementing the Council conclusions adopted on 28 June 2016](#), November 2020.

¹⁴ [Recommendations for action in food waste prevention](#), December 2019.

2. TASKS

Under its new mandate, the tasks of the Platform will remain unchanged, with a focus on supporting the deliverables laid down in the Farm to Fork Strategy. More specifically, the Platform's tasks shall be:

- to assist the Commission in the preparation of legislative proposals and policy initiatives in the field of food loss and food waste prevention (such as the different actions announced in the Farm to Fork Strategy, for example to establish EU-wide food waste reduction targets or to improve consumer understanding of 'use-by' and 'best before' dates in order to reduce food waste);
- to assist the Commission in facilitating the implementation of Union legislation, programmes and policies with an impact on food loss and waste prevention by providing input on technical and scientific issues as well as practical experience in this area (e.g. food redistribution);
- to bring about an exchange of information on the latest developments in food loss and waste prevention, experience, good practice and lessons learned, providing a forum for exchange on effective interventions, innovative solutions, and notably on national food waste prevention programmes, monitoring of food waste levels and progress made towards the SDG Target 12.3;
- to support the Commission to identify and prioritise actions to be taken at EU level in order to prevent food losses and food waste (including policy areas which can impact on food loss and waste) as well as support all actors in identifying and implementing appropriate actions to be taken at national, regional and local levels (e.g. through the follow-up and the wide dissemination and implementation of the Platform's key recommendations for action);
- to contribute to the co-ordinated development by relevant actors of guidance and/or joint communications initiatives in selected priority areas (e.g. communications for the International Day of Awareness of Food Loss and Waste on 29 September);
- to contribute to and facilitate synergies with the global food loss and waste agenda (e.g. contribute to activities put forward by relevant international organisations such as the Food and Agriculture Organisation or the United Nations Environment Programme, among others);
- to contribute to strengthening the evidence base for food loss and waste prevention (e.g. consumer food waste, losses in primary production) and evaluate the effectiveness of actions.

In order to deliver these tasks, the Platform shall operate in sub-groups dedicated to specific areas of work, such as: food loss and waste monitoring; food donation; date marking; action & implementation; and consumer food waste prevention.

Importantly, the work of the Platform is without prejudice to the role of the relevant Standing Committees (Plants, Animals, Food and Feed - PAFF, Waste Committee etc.) as well as expert groups convened in the context of the preparation of delegated acts, in accordance with the inter-institutional agreement on better law-making¹⁵.

3. MEMBERSHIP

The Platform shall be composed of up to 80 members representing public and private sectors.

Members shall be:

- 1) competent authorities from Member States and EFTA countries with competence on food waste prevention;
- 2) EU umbrella organisations and federations involved in food waste prevention in the food supply chain (primary production, processing and manufacturing, retail and other distribution of food, restaurants and food services, food banks/charity organisations and consumers);
- 3) organisations not covered by those referred to in sub-point 2 which are involved in food waste prevention in the food supply chain (e.g. academia, research institutes and think tanks; banks/financial institutions; companies/groups; professional associations);
- 4) non-governmental organisations with expertise in food waste prevention in the food supply chain including charity organisations;
- 5) EU bodies (the Committee of the Regions, the European Economic and Social Committee) and;
- 6) international organisations involved in food waste prevention and achievement of related Sustainable Development Goals (e.g. the Food and Agriculture Organisation or the United Nations Environment Programme).

All members shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. Member organisations shall be represented at senior-level. DG SANTE may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call. In such case, the organisation concerned shall be asked to appoint another representative.

Member organisations which are no longer capable of contributing effectively to the Platform's deliberations, which in the opinion of DG SANTE do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or which resign, shall no longer be invited to participate in any meetings of the Platform and may be replaced for the remainder of their term of office.

4. SELECTION PROCESS

Members referred to in point 3, categories 2) to 4), shall be selected through a public call for applications, to be published in the Register of expert groups, on the basis of the criteria specified in the call. In addition, the call for applications may be published through other means,

¹⁵ Adopted on 15.03.2016.

including on the Commission's Food waste website¹⁶ and the Platform's newsletter¹⁷. The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.

Registration in the Transparency Register is required for interested organisations to be appointed.

The members of the Platform shall be appointed by the Director General of DG SANTE from applicants with competence in the areas referred to in point 3 and who have responded to the call for applications.

Members shall be appointed for 5 years from 1 January 2022 until 31 December 2026. They shall remain in office until replaced/until the end of their term of office. Their term of office may be renewed.

DG SANTE shall establish a reserve list of suitable candidates that may be used to appoint members' replacements. DG SANTE shall ask applicants for their consent before including their names on the reserve list.

5. CHAIR

The group shall be chaired by a representative of DG SANTE.

6. OPERATION

The Platform shall act at the request of the Chair, in compliance with the horizontal rules.

In principle, the Platform shall meet in plenary at least two times per year on Commission premises, virtually or in hybrid meetings, in order to discuss the work of the Platform and monitor progress made by all actors towards the achievement of the SDG Target 12.3.

All plenary meetings of the Platform are public. Meetings of the Platform's sub-groups may also be web streamed, as appropriate.

As a general rule, working documents will be drafted in English and meetings will also be conducted in English with interpretation services¹⁸ provided in selected languages for plenary meetings of the Platform.

DG SANTE shall provide secretarial services to the Platform and its sub-groups. Commission officials from other departments with an interest in the proceedings may attend meetings of the Platform and its sub-groups.

Minutes on the discussion on each point on the agenda and on the opinions delivered by the Platform shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

As far as possible, the Platform shall adopt its opinions, recommendations or reports by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of

¹⁶ https://ec.europa.eu/food/safety/food_waste_en

¹⁷ <https://ec.europa.eu/newsroom/sante/user-subscriptions/1826/create>

¹⁸ Interpretation services may be provided for virtual plenary meetings, in accordance with the availability of remote interpretation services in the Commission.

the members. The members that voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

7. SUB-GROUPS

DG SANTE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG SANTE in consultation with Platform members. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.

The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with point 6 and the horizontal rules¹⁹.

Sub-group meetings dedicated to specific topics may be co-chaired by DG SANTE and Platform members, as appointed by DG SANTE based on their expertise and expressed interest²⁰ to coordinate work related to their field of expertise. Co-chairs appointed from among the Platform membership may also request to hold meetings of their respective sub-groups, propose agenda items and topics for discussion.

Sub-group meetings dedicated to specific topics are expected to take place twice-yearly and may in addition be convened on an ‘as needed’ basis.

8. INVITED EXPERTS

DG SANTE may invite other experts (also on the recommendation of Platform members), including representatives from non-EU countries, with specific expertise with respect to a subject matter on the agenda to take part in the work of the Platform or its sub-groups on an *ad hoc* basis.

Depending on the agenda of a given meeting, members may, on an *ad hoc* basis, ask to be accompanied by an expert(s) specialised in a given issue who will provide particular evidence on a subject. DG SANTE shall consider such requests, taking into account the overall balance in the representation of interests and in accordance with the Platform's rules of procedure.

9. OBSERVERS

Organisations or public entities other than Member States’ authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.

Organisations and public entities appointed as observers shall nominate their representatives.

Observers’ representatives may be permitted by the Chair to take part in the discussions of the Platform and its sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the Platform or its sub-groups.

¹⁹ See Articles 10 and 14.2 of the horizontal rules.

²⁰ Co-chairing will be done through rotation, for those members who have expressed an interest in acting as co-chair in their application form (Annex IV). Expressions of interest in co-chairing may be updated during the course of the Platform’s mandate.

10. RULES OF PROCEDURE

The working modalities of the Platform shall be laid down in its Rules of Procedure. On a proposal by and in agreement with DG SANTE the Platform shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules²¹.

11. PROFESSIONAL SECRECY AND HANDLING OF CLASSIFIED INFORMATION

The members of the Platform and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443²² and 2015/444²³. Should they fail to respect these obligations, the Commission may take all appropriate measures.

12. TRANSPARENCY

The Platform and its sub-groups shall be registered in the Register of expert groups²⁴.

As concerns the Platform and its sub-groups' composition, DG SANTE shall publish the following data on the Register of expert groups:

- the name of Member States' authorities;
- the name of public entities other than Member States' authorities;
- the name of member organisations; the interest represented shall be disclosed;
- the name of observers.

DG SANTE shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, on the Register of expert groups and on the Commission's food waste website²⁵. Access to this website shall not be submitted to user registration or any other restriction. In particular, DG SANTE shall ensure publication of the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001²⁶.

²¹ See Article 17 of the horizontal rules.

²² Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

²³ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

²⁴ <http://ec.europa.eu/transparency/regexpert/index.cfm>

²⁵ https://ec.europa.eu/food/safety/food_waste_en

²⁶ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Personal data shall be collected, processed and published in accordance with Regulation (EU) No 2018/1725.

13. MEETING EXPENSES

Participants in the activities of the Platform and its sub-groups shall not be remunerated for the services they offer.

Travel and subsistence expenses incurred by participants in the activities of the Platform and its sub-groups shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

Done in Brussels, on 14 June 2021.