



26 April 2016

EU Platform on Food Losses and Food Waste

Terms of Reference (ToR)

1. Background

The need to prevent and reduce food waste, while ensuring the safety of the food and feed chain, is a subject of growing societal, economic, environmental and political interest. Food waste prevention has been singled out as a priority area in the Communication on 'Closing the loop – an EU action plan for the Circular Economy'¹ adopted by the European Commission on 2 December 2015.

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 (SDG)². In order to support achievement of the SDG 12.3 target on food waste and maximise the contribution of all actors, the Communication on the Circular Economy calls on the Commission to establish a Platform dedicated to food waste prevention. The EU Platform on Food Losses and Food Waste (FLW), hereafter referred to as "Platform", aims to support all actors in defining measures needed to prevent food waste, sharing best practice and evaluating progress made over time. These commitments are reflected in the EU action plan for the Circular Economy and the related waste legislation proposal³.

The Platform builds on the work of expert groups^{4,5} established by the European Commission in order to provide advice on EU-wide actions to prevent and reduce food waste and facilitate sharing of best practice.

¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Closing the loop – an EU action plan for the Circular Economy - COM(2015)614

[<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1453384154337&uri=CELEX:52015DC0614>]

² Halve per capita food waste at retail and consumer level and reduce food losses along the food production and supply chains by 2030

[<http://www.un.org/sustainabledevelopment/sustainable-consumption-production/>]

³ Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste (2015/0275 (COD))

[<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52015PC0595>]

⁴ a stakeholder Working Group on Food Losses and Food Waste, established in 2012 under the Advisory Group on the Food Chain and Animal and Plant Health, and composed of stakeholder organisations representing farmers, the food industry, retailers, consumers, food banks and other non-governmental organisations [http://ec.europa.eu/food/safety/food_waste/eu_actions/stakeholders/index_en.html]

⁵ the Commission Expert Group on Food Losses and Food Waste established in 2014, bringing together relevant organisations from Member States

[<http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=3189>];
http://ec.europa.eu/food/safety/food_waste/eu_actions/member_states/index_en.html]

2. Role and objectives

As indicated in the Communication on Circular Economy⁶, the overall mission of the Platform is to support the Commission, Member States and all actors in the food value chain in achieving the SDG 12.3 food loss and waste reduction targets without compromising food safety, feed safety and/or animal health.

The Platform aids the Commission in identifying and prioritising actions to be taken at EU level in order to prevent food losses and food waste and supports all actors in identifying and implementing appropriate actions to take at national, regional and local levels. Its work is of a horizontal nature, aiming to identify opportunities for food waste prevention across the food production and consumption chain and facilitate inter-sector cooperation.

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

The Platform's work covers such areas as:

- definitions and measurement framework for food waste;
- monitoring of food waste levels and progress made by all actors towards the achievement of SDG 12.3;
- research to strengthen the evidence base (consumer, scientific, etc...);
- implementation and application of EU legislation related to waste, food and feed to ensure the highest value use of food resources (in line with a "food use hierarchy");
- facilitation of food redistribution;
- optimisation of use of former foodstuffs and by-products from the food chain in feed production;
- promoting better use and understanding of date marking;
- awareness, information and education campaigns;
- technological and social innovation.

The Platform provides advice and expertise to the Commission and Member States in order to improve the coherent implementation and application of EU legislation, programmes and policies with respect to food waste prevention and, where relevant, facilitate preparation of possible policy initiatives.

Under the steer of the European Commission, the Platform may consider relevant policy areas which can impact on food waste (such as monitoring of food waste levels, food information to consumers, food hygiene, feed legislation, animal by-products, etc...) as well as contribute to the co-ordinated development by relevant actors of guidance and/or joint communications initiatives in selected priority areas (for instance, EU guidelines to facilitate food donation; guidance to industry on date marking, etc...).

⁶ COM(2015)614

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-making⁷.

3. Structure and membership

The Platform is an informal Commission expert group operating in accordance with the horizontal Rules for Commission Expert Groups⁸ and registered in the Commission's Register of Commission expert groups and other similar entities ('the Register of expert groups')⁹.

The Platform shall be composed of a maximum of 70 members representing public and private sectors according to the following categories:

1. competent authorities from Member States and EFTA countries with competence for 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 and consumers);
3. organisations not covered by those referred to in abovementioned group 2 which are involved in food waste prevention in the food supply chain;
4. non-governmental organisations with expertise in food waste prevention in the food supply chain including charity organisations;
5. EU bodies (e.g. Committee of Regions, European Economic and Social Committee) and;
6. international organisations involved in food waste prevention and achievement of related Sustainable Development Goals (e.g. Food and Agriculture Organisation, United Nations Environment Programme).

In order to contribute effectively to the Platform's work, member organisations shall be represented at senior-level.

Entities referred to in categories 1, 5 and 6 above shall be invited by the Commission to join the Platform as members.

Members referred to in categories 2-4 above shall be selected through an open call for applications on the basis of the criteria specified in the call. Registration in the Transparency Register is required for interested organisations to be appointed as members. Applicants will be required to provide the Transparency Register identification number at the time of submitting an application for a membership in the Platform. The applicants who meet the membership criteria but are not appointed as members may be placed on a reserve list.

⁷ Adopted on 15.03.2016

⁸ Communication C(2010)7649

⁹ <http://ec.europa.eu/transparency/regexpert/index.cfm>

Members of the Platform shall be appointed by the Director General of the Directorate-General for Health and Food Safety for the term of office of this Commission, which is until 31 October 2019. Members' term of office may be renewed.

The European Parliament shall be kept informed of the Platform's work. Upon request of the European Parliament and in accordance with the modalities laid down in the Framework Agreement on relations between the European Parliament and the European Commission¹⁰, the Commission may invite the Parliament to send experts to attend meetings.

4. Operation

The Platform and its related sub-groups shall be chaired by a representative of the European Commission (Directorate-General for Health and Food Safety) and meet according to the arrangements and timetable set by the Commission services, including possible virtual meetings.

In principle, the Platform shall meet at least twice a year at the premises of the Commission and whenever the Commission considers a meeting necessary.

The Chair may set up sub-groups to examine specific questions on the basis of terms of reference defined by the Platform. Such sub-groups shall report to the Platform and operate in accordance with the rules laid down by the Platform and in compliance with the horizontal Rules for Commission Expert Groups.

The Chair may invite other experts on an ad hoc basis, including representatives from non-EU Member States, academics and researchers where appropriate or necessary, to participate in the work of the Platform or its sub-groups.

In addition to the established meetings of the Platform, related meetings held at political level might be convened by the European Commission when appropriate.

Member organisations shall be asked to designate a permanent representative to participate in the Platform. 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. The Commission 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.

The Platform adopts 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 the members. Members who have voted against shall have the right to have the reasons for their position recorded in the meeting report.

The group's discussions are confidential. In agreement with the Chair, the group may, by simple majority of its members, decide to open its deliberations to the public for specific meetings or discussions.

¹⁰ OJ L 304, 20.11.2010, p. 47

The working modalities of the Platform shall be laid down in its Rules of Procedure, adopted by the Platform on the basis of a proposal from the Chair and in compliance with the horizontal Rules for Commission Expert Groups. The Commission services provide secretariat to the Platform and any of its sub-groups.

The members of the group and their representatives, as well as invited experts, 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) 2015/443¹¹ and 2015/444¹². Should they fail to respect these obligations, the Commission may take all appropriate measures.

5. Transparency

The Platform shall be registered in the Register of expert groups. The membership in the Platform shall be published in the Register. All relevant documents related to the work of the Platform (such as the agendas, the minutes and the participants' submissions) shall be made available on the Register of expert groups or via a link from the Register to the Commission's dedicated food waste website¹³.

Exceptions to publication shall 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 1049/2001¹⁴.

Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

6. Meeting expenses

Participants in the activities of the group shall not be remunerated for the services they offer.

Travel and subsistence expenses incurred by participants in the activities of the group shall be reimbursed by the Commission in accordance with the provisions in force in the Commission and within the limits of the available appropriations allocated to the Commission services under the annual procedure for the allocation of resources.

7. Relations with other expert groups

As appropriate, the Commission services may inform other expert groups, such as the Advisory Group on the Food Chain and Animal and Plant Health and the High Level Forum for a Better Functioning Food Supply Chain, about the activities of the Platform.

¹¹ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

¹² 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).

¹³ http://ec.europa.eu/food/safety/food_waste/index_en.htm

¹⁴ 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.