



SUMMARY REPORT

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

DG HEALTH AND FOOD SAFETY (SANTE)

2nd meeting

*Brussels, 36 Rue Froissart (Albert Borschette building), Room 2D
25 October 2017 – From 14:30 to 17:30*

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, Kris De Smet; DG EMPL: Marie-Anne Paraskevas; DG AGRI: Olivier Diana; DG MARE: Chiara Bacci (item 6 only).

Member States represented:

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

Private sector organisations:

CITY OF MILAN: Secretariat of the Milan Urban Food Policy Pact; EUROCOMMERCE; European Federation of Food Banks (FEBA); FOODCLOUD; FOODDRINKEUROPE (FDE); FOODSERVICEEUROPE ; HOTREC; Hungarian Food Bank Association (HFBA); INDEPENDENT RETAIL EUROPE; LES RESTAURANTS DU COEUR; OSTFOLD RESEARCH, Nofima and Matvett Consortium.

Invited ad hoc experts:

Dorothee Briamont, Director, Solidarité des producteurs agricoles et des filières alimentaires (SOLAAL)

1. WELCOME AND ADOPTION OF THE AGENDA

The Chair, Ms. Alexandra Nikolakopoulou, introduced herself and welcomed members to the second meeting of the sub-group on food donation of the EU Platform on Food Losses and Food Waste (FLW). She thanked all participants for their interest in contributing to EU efforts to facilitate food donation and also extended her thanks to colleagues present from other Directorates-General of the Commission.

The Chair announced a change in the membership of the sub-group, as Health Care Without Harm had declined participation and FOODCLOUD had been invited to join. She then went on to outline the agenda of the meeting which was adopted without further comments by the members present.

2. EU FOOD DONATION GUIDELINES

The Chair thanked all members for their active contribution in shaping the EU food donation guidelines, which had been adopted on 16 October (World Food Day); identifying the document as a major deliverable of the Circular Economy Package. She then referred to the document which will be developed by the members of the EU Platform on FLW to complement the guidelines with practical examples of how Member States and sectoral organisations implement EU measures related to food donation. She called upon members of the sub-group to provide further input so that the document may be finalised as an output of the Platform itself by the end of 2018. Following input received from members, further discussion on this matter will take place during the next meeting of the sub-group which is expected to be held in February/March 2018 (date to be confirmed).

In reply to a question as to why the sub-group would discuss further a document which is merely a compilation of Member State practices (NL), the Chair replied that the sub-group may have views as to the document's structure and format and that it would otherwise be utilised as a basis for sharing information on members' food donation practices.

PL expressed its interest as to how other Member States managed VAT provisions related to food donation, while offering to share its own experience within the Platform. CITY OF MILAN also proposed to share on-the-ground practices from the organisation's members; while HR suggested incorporating a chapter on the manner in which Member States integrate food donation in operating programmes under FEAD (Fund for Economic Aid to the Most Deprived).

3. EFSA MANDATE – PRESENTATION BY THE COMMISSION OF A REQUEST FOR A SECOND SCIENTIFIC OPINION ON HAZARD ANALYSIS APPROACHES FOR CERTAIN SMALL ESTABLISHMENTS AND FOOD DONATION

The Commission official from SANTE's food hygiene unit presented the mandate given to EFSA for a scientific opinion which aims to support small retail establishments (including food banks and charities) in implementing food safety management systems based on HACCP and thereby facilitate their addressing obligations laid down in the food hygiene legislation. It was explained that all food business operators, regardless of their size, had to fulfil 7 principles based on HACCP - with hazard analysis being the most important basic requirement. The latter includes the identification of the hazard and of the necessary related control measures.

EFSA has already developed a generic hazard analysis for 5 types of retail establishments, which has been published on its website and translated in all EU languages. The new mandate follows on from this opinion by requesting advice on hazard analysis approaches for other small retailers (restaurants, pubs, catering operators, supermarkets and distribution centers), including consideration (for all small retail

establishments) of possible additional hazards that may arise within the frame of food donation. EFSA has been asked to finalise this opinion by 30 September 2018.

Members welcomed the initiative (DK, NL), with BG suggesting that the scientific opinion should also cover the manner in which food was handled after donation. In response to LT's request that receiving organisations be included under the current mandate, the Commission replied that organisations which receive donated food (such as food banks and other charities) are considered food business operators and are thus already being targeted by the scientific opinion.

FOODSERVICEEUROPE inquired whether EFSA would seek any contributions from stakeholders and the Commission replied that input from stakeholders had been sought when preparing the mandate, and that the agency can invite experts to provide information should this be considered necessary/useful. Should Platform members have additional questions and/or wish to provide further input; this can be channelled through SANTE Commission officials dealing with food hygiene and food donation.

4. UPDATE BY THE COMMISSION ON THE EUROPEAN PARLIAMENT'S PILOT PROJECT ON FOOD REDISTRIBUTION

The Commission described the overall aim of the pilot project as being to support the redistribution of safe surplus food across Member States. One of the main tasks would be to carry out research and analyse existing regulatory and operational national frameworks, so as to further clarify the main obstacles to food redistribution (building on previous research and work in this field) as well as support the dissemination and implementation of the EU food donation guidelines.

The Commission highlighted that stakeholders would be asked to contribute actively to the project and that members of the Platform would be called upon to do so by the contractor.

5. UPDATE ON THE FEAD: SUPPORT FOR FOOD DONATION AND FOOD WASTE PREVENTION – PRESENTATION BY THE COMMISSION

The Commission official from DG Employment (EMPL.F1) explained the aims of the Fund for European Aid to the most Deprived (FEAD), its implementation by Member States and opportunities it presents for supporting food donation.

Launched in 2014 with the main aim of breaking the vicious circle of poverty and deprivation, the Fund for European Aid to the most Deprived (FEAD) is a shared management programme, with the European Commission and Member States as co-financers. The main principles behind the fund are: non-discrimination; effectiveness and efficiency; environmental considerations (eg preventing food waste); promoting a balanced diet and forming partnerships between Member States, regional and local authorities and NGOs.

Target groups which can benefit from FEAD are determined at national level. The fund is implemented through two different types of operational programmes (OP): type I covers food assistance, material support and accompanying measures within 24 Member States, while type II comprises social inclusion measures (applied within Germany, Sweden, Denmark and the Netherlands). Support is delivered through partner organisations, be they public bodies or NGOs: in the case of OP I, FEAD finances food and other material support while, in the case of OP II, organisations are given funding to implement actions.

In terms of eligible expenditures, OP I covers the cost of purchase for food and goods, 5% of the administrative costs and 5% for accompanying measures; whereas in the case of OP II, national eligibility rules apply.

The FEAD network includes partner organisations participating in the implementation of the national programmes and the managing authorities and organisations at European, national, regional or local levels involved in monitoring the actions or in the fight against poverty and social exclusion. The members of the network cooperate on-line but also hold physical meetings in order to discuss specific issues such as preventing food waste; (a topic that was addressed at the 7th FEAD network meeting on 21 September 2017). Within this context, members identified the main challenges of food redistribution as being to attract and retain volunteers; the lack of capacity building to undertake the task; the need for early intervention (e.g. raising awareness on food waste prevention among children); administrative barriers; the lack of financial incentives for supermarkets to reduce food waste and the issue of appropriate infrastructure of partner organisations.

The Commission announced that the FEAD legislation was being evaluated in a mid-term review in order to identify the strengths and weaknesses of the programme. The future shape of the programme also depends on the outcome of trilogue negotiations on the Omnibus Regulation which is considering the financial rules applicable to the general budget of the Union. Certain points that could impact on the FEAD programme concern the extended use of simplified cost options (*ie* lump sums) and the possibility of funding of integrated operations with retroactive effect (*ie* FEAD-type operations could be supported through more than one operational programme). The Commission indicated that the Omnibus Regulation was foreseen to enter into force in January 2018.

The main issue raised by members referred to the fact that the FEAD programme could make a stronger contribution to food waste prevention if food donation were included in more national programmes and if funding mechanisms were simplified (HR, HFBA); at times organisations were unable to distribute free available food due to poor infrastructure or lack of resources. HR suggested that it would be useful if Member States which integrate food redistribution in their national programmes could outline how they do so; such examples could for instance be explained in the document to be prepared by the Platform on food donation practices in Member States. FEBA highlighted the importance of FEAD for food donation in the EU and stressed the importance of finding an agreement between co-legislators on simplified funding mechanisms for food donation through the programme (*ie* through lump sums). HFBA stated that it could be more efficient if FEAD funds could be utilised directly to fund redistribution of surplus food and that capacity issues of food banks and other charities cannot be solved solely through the contribution of a volunteer work force.

The Commission explained that the current legislation did allow the compensation of food donation costs to some degree, highlighting that part of the issue relied in the fact that Member States were reluctant in requesting technical assistance from the national Commission offices. Members present were encouraged to communicate their challenges with the national contact points for FEAD, in order to create momentum for change and reach consensus for amending the existing operational programmes.

IT intervened by stressing that the Italian Partner Organizations who are benefiting from the FEAD consider that the fund should be preferably used for the purchase of food products, mainly for two reasons:

1. The purchase of food products does not have a multiplier factor such as the recovery of surplus food, however it allows being able to plan the supply of food products (type and

quantity of products, planning of deliveries). In addition, it allows redistributing food products that would be very difficult to recover as surplus food (e.g. perishable food) and also contributes to improving the nutritional and dietary balance for the benefit of the final beneficiaries.

2. The planning of food products makes it possible to concentrate other resources on the recovery of food surpluses.

Therefore, IT strongly advised not to use the FEAD for the purpose of recovering surplus food, unless if additional resources were available and strictly finalized for this objective. For instance, these additional resources could be used for paying the transformation costs supported by the Partner Organizations with the aim of extending the shelf-life of recovered surplus food.

IT also considered important to recall the different purposes of the FEAD (social purpose) and the recovery of surplus food (prevention of food waste).

PL suggested the creation of an extra distribution channel through FEAD funds which would facilitate the redistribution of surplus food due to disturbances on the agricultural markets. The Commission replied the opportunity of redistributing food held in intervention stocks was currently under evaluation; if public procurement rules allow, access and redistribution of such food could potentially be channelled through FEAD.

5.1 FEAD and food redistribution networks: the example of FOODCLOUD

The FOODCLOUD representative explained the manner in which the organisation facilitates the redistribution of FEAD products through the use of digital networks. Based in Dublin - IE, the organisation started with a digital infrastructure which was later complemented by 3 physical hubs/warehouses, where food is collected from food business operators and redistributed to 130 charities across the country. While initially the project started with one supermarket which alerted charities to come pick up the available food via a mobile app, the organisation currently works with 2800 supermarkets in both IE and the UK. In order to simplify the donation process, the company has implemented tools such as the integrated scanning of products by supermarkets, but also created a call centre and a website to complement the mobile application. In terms of food waste, data are reported and processed in accordance with the Food Loss and Waste Protocol.

FOODCLOUD explained the approach behind the implementation of FEAD funds in Ireland as collaboration between the Department of Employment Affairs and Social Protection (DEASP), charities and FOODCLOUD hubs. FEAD covers the purchase of 23 food products that is complemented by fresh produce and other surplus food received from donors. In terms of challenges, the organisation reported the small share of 5% funding for food redistribution (through FEAD) and the complexity of charities, which often lack infrastructure and basic logistics support. As for achievements, the organisation emphasized the successful collaboration with authorities and charities and the adoption of new technology which has helped to streamline work processes.

The issue of lack of funding for redistribution of surplus (as opposed to purchased food) was also mentioned as there was a growing demand for the redistribution of such products.

In reply to a question raised concerning the main sectors of the food supply chain targeted by FOODCLOUD's operations (FOODDRINKEUROPE), the organisation explained that

they were working on expanding their activities to sectors of the food supply chain other than retail. NL expressed its appreciation for the way in which FOODCLOUD employed technology in their operations but also asked whether there was not a risk that such efforts lead to the unwanted effect of encouraging food surplus. FOODCLOUD stated that they were developing a project with suppliers in order to find ways to reduce food waste across the whole food supply chain. The organisation tracks and reports data on food waste levels, informing donors on the main foods wasted and advising them on how to manage stocks and products to avoid further losses. FOODCLOUD also mentioned they had received a high number of requests from companies outside the EU for the license of their digital tools.

6. INFORMATION SHARING ON FOOD DONATION ACTIVITIES IN MEMBER STATES/BY SECTORIAL ORGANISATIONS

Following discussion at the 14 June meeting of the EU Platform on FLW regarding food donation from the agricultural sector, members were invited to share their experience in this area.

6.1 Recovery and redistribution of agricultural and farming surplus: SOLAAL (Solidarité des Producteurs Agricoles et des Filières Alimentaires)

SOLAAL was invited as an ad hoc expert in order to share their experience in the facilitation of donation of food surplus from farmers and cooperatives to charities. SOLAAL's objectives are to: promote donations from farmers; facilitate logistics; tackle food waste; and contribute to a balanced diet. Working on a case-by-case basis, SOLAAL is in charge of the whole redistribution process, as well as keeping records of farmers and charities involved.

According to the organisation, agricultural food surplus occurs due to weather conditions, market saturation and trade practices. The main obstacles to the redistribution of such products are: the lack of information; the untapped potential of charities; a lack of regularity and diversity of food supply; and the logistics costs.

The organisation initiated large scale actions to inform and mobilise (e.g. compiling a guide of best practices and creation of the National Farmers' Day) and worked on the extension of existing fiscal incentives for food donation in FR so that farmers could also benefit from these (*ie* corporate tax credits for food donation). In terms of more local actions, SOLAAL has created networks of local stakeholders, implemented small scale pilot actions (e.g. wholesale markets, gleaning activities etc.) and contributed to supplying goods (e.g. reverse logistics with retail chains in order to facilitate collection of and delivery of surplus food from farms). To date, SOLAAL has facilitated redistribution of 12 tonnes of agricultural products (the equivalent of 22 million meals), nearly all of which are fresh products.

6.2 Recovery and redistribution of agricultural and farming surplus: LES RESTAURANTS DU COEUR

LES RESTAURANTS DU COEUR was created in 1985 in order to provide assistance to people in need, with food aid as an entry point to social inclusion. In terms of sourcing of food made available to beneficiaries, LES RESTAURANTS DU COEUR rely on FEAD (20-25%), donations and recovery of products from industry and farmers (40%) and the rest is purchased.

The association has campaigned for the extension of the corporate tax benefit allowed for food donation under the French tax code to new products, *i.e.* milk (2013), eggs (2014), processed fruits and vegetables (2016). According to the French tax code (Article 238

bis), producers may benefit from a tax credit equivalent to 60% of the net book value of donated food (with tax receipt given by the association to the producer). This also applies when donated foods are processed, with processing costs usually paid by the charity organisation.

The association mentioned that in instances when the prices were too low, producers could earn more money through corporate tax credits from food donation than from selling their products on the market.

The association is currently running experiments in relation to donation of eggs and meat in order to diversify food made available to people in need.

6.3 Recovery and redistribution of agricultural and farming surplus: ITALY

IT began by highlighting that although the EU provides support to agricultural producers of fruit and vegetables in cases of market crises by granting aids to encourage donation of fresh produce to charity organisations, current rules on the Common Organisation of Markets for fruit and vegetables cannot always prevent food waste due both to oversupply and to the perishable nature of these foods. IT is therefore putting in place mechanisms whereby fresh fruits and vegetables may be processed for further redistribution, with costs being borne by national funds.

The Italian "Round Table for the fight against food waste and for food aid" has proposed a national procedure to support the donation and processing of fresh produce, which respects traceability norms, fair competition in the market and imposes controls at each stage of the food supply chain. The procedure proposes the following steps: the Ministry establishes the average cost for processing of the product concerned; charities would apply for the processing of fresh fruits and sign a contract with one or several processors in this regard; charities would be in charge of transporting the fresh fruit to the processing site where it is processed for instance into juice; the Ministry would be informed of the processing costs for payment from a national fund after proper checks by the authorities. The Ministry of Agriculture is currently examining the legal aspects of the procedure prior to its implementation.

IT had tested another procedure in the past, which involved payment in-kind by charity organisations for costs of processing by industry; however the process turned out to be unsustainable, as more than 80% of the raw materials were needed to cover the costs and fair market competition was not ensured.

Following IT's presentation, LT asked whether it could be possible for such processing costs to be covered by FEAD (in addition to logistics costs). NL offered the example of Dutch apples which were transformed into mousse following the Russian embargo, highlighting that costs were paid by food banks rather than through a national fund as proposed by IT. The Chair indicated that this issue could be followed up in a future subgroup meeting, encouraging other members to present their experiences on this matter.

7. UPDATE FROM THE COMMISSION ON THE IMPLEMENTATION OF DIGITAL TOOLS TO SUPPORT THE WORK OF THE EU PLATFORM ON FOOD LOSSES AND FOOD WASTE: THE DIGITAL NETWORK OF THE EU PLATFORM ON FLW AND THE REFRESH COMMUNITY OF EXPERTS

The Commission presented its recently launched digital tool specific to the Platform's work, created to facilitate communications and collaboration between Platform members and with the Commission. The main objectives of the digital tool were to facilitate the on-going exchange of information, initiatives, news on food losses and food waste developments and mutual learning between Platform members; to facilitate the ongoing

work of the Platform and its sub-groups and to streamline communication between the Commission and Platform members and support meeting preparation and follow-up.

The digital network of the EU Platform on FLW is restricted to Platform members only and features several discussion areas or 'networks', clustered according to relevant topics in food waste prevention (date labelling, food donation, food waste measurement etc.). The digital tool offers various functionalities such as the ability to create an event; upload and download documents; post news, updates or opinions and start discussions. Users would be able to interact with one another by endorsing or commenting on posts and would have the possibility to contact other members through the information displayed on their personal profile pages.

Platform members would be kept up-to-date via a weekly newsletter including items related to their subscription to various networks.

The Commission highlighted the fact that the digital tool was undergoing transformation and improvements, and encouraged members to provide their feedback on the type of functionalities which could be developed in the future.

In the second part of its presentation, the Commission presented the REFRESH Community of Experts (CoE), a knowledge sharing site for initiatives and best practice on food waste prevention developed under the Horizon 2020 REFRESH project and in collaboration with the Commission. The main objectives of the website were identified as the following: to provide an engaging web-based platform to share best practice, research and insights to address the topic of food waste; to enable replication of the "Framework for Action" methodology; to host tools and resources to support action along the whole value chain and to demonstrate and promote the potential of cross-sector collaboration.

Members were instructed on the functionalities of the website through user journeys on how to search for content, contribute with resources or engage with other members.

CITY OF MILAN expressed its willingness to share resources with interested stakeholders through both digital tools.

8. A.O.B.

Before closing the meeting, the Chair reminded all present that the EU food donation guidelines had been published in all languages both in the Official Journal, as on the Commission's website. At the same time, she reiterated the request for members to contribute with input and resources to the document which will be developed by the members of the EU Platform on FLW to complement the EU food donation guidelines with practical examples of how Member States and sectoral organisations implement relevant EU measures. It is foreseen to finalise this document, authored by the Platform, by the end of 2018.

Last but not least, the Chair highlighted the fact that the main purpose of the sub-groups established under the EU Platform on FLW was to collaborate and find areas of opportunity to prevent and reduce food waste across the whole food supply chain. Given the fact that it was an interactive process which relied heavily on member's involvement and feedback, she encouraged participants to propose topics for the agenda of the

subsequent sub-group meeting. The importance of collaboration between sub-groups was also emphasized, via the digital network of the EU Platform on FLW, but also through regular updates presented at Platform plenary meetings. Prior to closing the meeting, she thanked all members for their active contributions.