



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2014)

Opinion

Title **DG ENV - Impact Assessment Report on the role of a food waste prevention target accompanying a Communication on Sustainable Food.**

(draft version of 09 January 2014)*

(A) Context

The production and consumption of food has a major impact on the environment through its resource use and emissions. Food waste is a significant source of inefficiency in the food system. Around 89 million tonnes of food waste was generated in EU-27 in 2006, representing a value of EUR 180bn and 30% of all food produced. This could be expected to rise to as high as 126 million tonnes by 2020 under a no policy change scenario. The current initiative on sustainable food aims to contribute, through action on food waste, to a food system that is more resource efficient and to reduce the levels of food waste generated by 20% by 2025. The options discussed here include the introduction of a binding waste prevention target from 2016 within the revised Waste Framework Directive.

(B) Overall opinion: NEGATIVE

First, the report should provide a more focused presentation of the problem of food waste in the EU, and its underlying drivers, focusing on those addressed by this initiative. Building upon the data regarding food waste generation per capita across Member States, it should explain what lessons can be learned from waste management strategies at national level, and what the fundamental drivers of food waste are across different Member States. Second, the report should better demonstrate the need for binding targets for food waste reduction at EU level and explain to what extent this is in line with subsidiarity. The intervention logic, and the possibilities for Member States to actually reduce food waste, should be explained. Third, the report should better explain the feasibility of implementing and monitoring the preferred option in practice by 2016, given the low level or absence of data at national level, and given that the monitoring and data collection arrangements proposed under option 2 would be in their infancy. Finally, the report should further substantiate the impacts of the options, including the administrative burden implications as well as the implementation costs for different sectors of the food chain.

Given the nature of these concerns, the IAB requests DG ENV to submit a revised version of the IA report on which it will issue a new opinion.

* Note that this opinion concerns a draft impact assessment report which may differ from the one adopted

(C) Main recommendations for improvements

(1) Better define the problems and strengthen the baseline. The report should provide a much clearer policy context, by clarifying how the fitness check on waste will feed into the present initiative, and by better explaining the coherence with the forthcoming proposal for reviewing the European waste management targets. A clear and consistent definition of food waste should be provided early on so as to demonstrate the scope of the analysis. The report should then provide a more focused presentation of the problem of food wastage and its underlying drivers, focusing on those problems and drivers which will be addressed by this initiative. It should discuss the drivers for food waste at each stage of the food chain (manufacturing, retail, households, etc.) and clearly explain the relative importance of these drivers across sectors and in different Member States. With reference to the chart showing per capita food waste across Member States, and on the basis of a more in-depth analysis of the waste management strategies in place at national level (and relative effectiveness of such measures) the report should discuss why this wide variation exists, and which sectors contribute most to the problem in different Member States. In this context it should discuss the significance of data availability or lack of comparability across Member States. The cross-border aspects of the problem also need to be better explained.

(2) Strengthen the intervention logic and demonstrate the need for EU action. Against a set of more specific and operational objectives, which clearly highlight the scope of action and the sectors of the food chain included, the report should clarify how the setting of targets for food waste prevention alone would address the identified problem drivers. It should explain on what basis the operational objective of reducing the level of food waste generated in the EU by 20% by 2025 is set, given the data uncertainties about the current food waste level, and the different drivers across Member States. The report should then better explain the necessity and added value of measures tackling food waste at the EU level, given a growing range of food waste prevention strategies at Member States level. In addition, it should clarify the legal base for setting binding targets in waste reduction and clearly indicate the views of different Member States in relation to the setting of binding measures at EU level.

(3) Provide more detail on the policy options. Under option 2, the report should clarify the reporting requirements for Member States. The current methodologies for data collection used across Member States should be made clear. The anticipated effectiveness of option 2 should be further assessed in order to more clearly justify why it has been discarded as a standalone option. As regards option 3, the report should further clarify and justify the scope of action. For instance, it should explain why food banks, and animal feed have been excluded from the scope but composting and energy recovery have not, and whether this will affect the amount of food waste entering energy recovery or composting cycles. The report should then better explain the feasibility of implementing and monitoring progress against a binding target for food waste reduction in practice across different Member States, given the poor levels (or absence) of data collection and reporting to the Commission in Member States, and clearly outline any derogations or flexibility in implementation that may be granted to Member States. It should also explain whether the monitoring and reporting arrangements under option 2 will yield sufficient data by 2016 against which progress in waste reduction can realistically be measured in different Member States. It should also clarify against which baselines the reduction targets would be calculated in different Member States, and explain why there may be a need to calculate food waste reductions against different baselines in different Member States. Finally, the report should better justify why the threshold of 100kg per capita food waste has been chosen, below which Member States would be excluded from the binding threshold.

(4) Better assess the impacts. For option 2, the administrative burden costs associated with the need to put in place new monitoring and reporting systems should be clarified for individual Member States and the EU as a whole. The once-off and recurring costs should also be clarified. As regards the costs of implementation of option 3, the report should clarify at which point along the food chain these costs are likely to be felt the most (i.e. where are the 'quick wins' in different Member States) and by which sectors (manufacturers, retailers, food services, households). The social impacts should be fully assessed and the link between food waste and food donation policies should be explained. It should also further assess the impacts upon job creation within the food production sector, and substantiate the claim that retailers and producers would be able to offset any financial losses by accessing global markets. The report should also refer to any possible impact on jobs in the waste management sector.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation. The views of different stakeholders groups, including Member States, should be presented throughout the report. All tables and charts should be systematically labelled and numbered. The executive summary sheet should be attached to the main report.

(E) IAB scrutiny process

Reference number	2013/ENV/009
External expertise used	No
Date of IAB meeting	05 February 2014