

WORKING DRAFT OF THE EU CODE OF CONDUCT ON RESPONSIBLE FOOD BUSINESS AND MARKETING PRACTICES

09/06/21

Comments of European Specialist Dietetic Network (ESDN) for Public Health of the European Federation of the Associations of Dietitians (EFAD)¹.

We really appreciate the opportunity to make comments on this proposal, and we hope our comments are helpful for this important deliverable of the Farm-to-Fork Strategy.

An adequately resourced European dietetic workforce is crucial to facilitate the transition from current food and drink consumption trends to healthier, more fair and sustainable patterns. Dietitians are particularly important in enhancing nutritional knowledge, and the health and food literacy skills of people across the lifespan and recognizing the wider social determinants of health.

From EFAD's part, we wish to draw attention on:

Acknowledging the challenge of unifying criteria between very different actors within food systems with their own goals, ambitions, capacities and with expectations regarding this code of conduct, we are worried this code could be a simple tool for a "greenwashing marketing strategy" of its signatories, especially "big" food companies. However, we hope these first voluntary steps, once put to practice, end up in an EU regulation to establish the mainstream guidelines for a healthier and more sustainable food system. On the other hand, it seems that the commitments for signatories are subjective in terms of impact (ambitious) and really weak since just one (1) commitment is required, which could be understandable for most of the small and medium enterprises and coherent with the "Think Small First principle", but not for the large and very large companies.

- We suggest to the Commission to establish independent and regular impact assessment of the Code and its alignment with the F2F strategy. (4.2 Overall monitoring and evaluation of the Code)
- We suggest that the commitments adopted be related to the size and management capacity of the companies. Large companies, in addition to the environmental and economic tangible and measurable commitment

¹ Teresa Rodrigues, Amanda Avery, Elena Carrillo, Zeynep Begüm Kalyoncu, Cláudia Afonso and Manuel Moñino (Lead). <http://www.efad.org/en-us/specialists-networks/public-health/>

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adopted, must comply at least with one (1) social aspirational objective from those set out in the Code, (1.4 Roles and responsibilities)

- We suggest the legal side of responsibilities should be clarified, since annual reports are expected to be made public, and although it is stated that voluntary commitments could not be used in any legal proceedings, as soon as reports are made public, they might be used in this purpose.
- **As regard Component 2 of the Code - Promoting food consumption patterns (for healthy and sustainable diets):**
 - We suggest the term “balanced” should be removed from the aspirational objective 1, as it is redundant and needless as the term “healthy” is broader and implicitly includes “balanced”.

As we mentioned during the last plenary meeting, we deem the term "affordability" must be included as a key aspect of sustainable and healthy dietary patterns, and more importantly, fair competition among companies should not be a barrier to facilitate access to a healthy and sustainable diet, as it was one of the arguments against to include the term "affordability". Actually, affordability was a cross-cutting topic addressed within task-force working groups Although the CFS Voluntary Guidelines on Food Systems and Nutrition does not mention in its definition of “healthy diet”, the term is an unlikable one, in fact, it is one of its aims “Part 2 – point 31. (...) diets (...) for adequate nutrition are accessible, available, affordable, safe and of adequate quality and quantity (...)” and policies to be encouraged: Part C – 3.3 – point 56 “(...) environments should ensure that people have equal and equitable access to sufficient, affordable, safe and nutritious foods that meet dietary needs (...)”.

- We suggest to make an amendment in the footer as follow: “Healthy diets are those diets that are accessible, available, affordable, safe and of adequate quantity and quality to achieve optimal growth and development of all individuals and support functioning and physical, mental and social wellbeing at all life stages and physiological needs. Healthy diets are safe, diverse, balanced, and based on nutritious foods. They help to protect against malnutrition in all its forms, including undernutrition, micronutrient deficiencies, overweight and obesity and lower the risk of diet-related non-communicable diseases. The exact make-up of healthy diets varies depending on an individual’s characteristics (e.g. age, gender, lifestyle and degree of physical activity), geographical, demographical, cultural patterns and contexts, food preferences, availability of foods from local, regional and international sources, and dietary customs. [...]”
- **As regard indicative action a) Improved food consumption patterns in the EU,** we are concerned how it emphasizes the review of portion and serving sizes with the aim of sustainable food consumption patterns, and it is a sense of recall of the interest of main food operators to use portion as a base of a given FOP scheme. The reduction of portion size can be helpful in both reducing food waste and over-

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eating, but the activity can be abused when it comes to the use of nutrient profiling for marketing issues or FOP. Thus, we believe that if companies outside of food services decide to review portion sizes as one of their commitments then there needs to be systems in place to ensure that this does not have a detrimental effect on the nutrient profiling. The portion sizes currently suggested in some categories (breakfast cereals, snacks, chocolates, sweets, etc.) are smaller than the amount that is normally consumed at any given time. Portion sizes of different foods differ from one country to another, and even between regions of a given country, so the amount of food normally consumed depends not only on the culture and gastronomy, but also on the eating habits of its populations, especially regarding food categories, that do not have deep roots in their eating patterns.

- We suggest to limit this action (review of portion sizes) to the food services, in line with reducing food waste and over-eating.

As regard the promotion of consumer awareness of healthy and sustainable diets, it responds to the term “food literacy” which we believe should be mentioned.

- We suggest a new wording “increase level of food literacy among European citizens by raising awareness of healthy and sustainable diets and lifestyles

In the same action, and regarding the use of sustainable-produced organic foods, given the impact of these products in the costs of food bags and that affordability and inequalities are missed or poorly considered.

- We suggest to remove the term “organic” and emphasise “sustainable production of food”.
- Similarly, given that the first action is related to encourage the consumption of food, we believed that the term “fibre” should be removed, as it is a nutrient and its natural sources have been already mentioned.

- **As regard indicative action b) A food environment that makes it easier to choose healthy and sustainable diets**, although food services are identified as an action to take into account, we believe that green public procurement must be mentioned. As regards the fact that it could be considered an enabler, we believe that it deserves to be emphasized.

- We suggest to modify as follow: Promote healthy and sustainable food service practices by using the green public procurement recommendations (when applicable)

In relation to improve “diet-related health in deprived communities” and in order to avoid stigmatization, we deem to rewording the action as follow:

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- We suggest to reword as follow: Support local actions to improve availability and affordability of healthier and more sustainable diet for all.

On the other hand, we believe that Applying responsible food marketing and advertising practices to children should be emphasized. We also believe that others settings should be identified and prioritized

- We suggest to make both amendment as follow: “Apply responsible food marketing and advertising practices to children (when applicable) and other groups” and “Integrate sustainable practices and health, as those proposed by GPP in school, health and work settings”
- **As regard Aspirational objective 2: Prevention and reduction of food loss and waste** and its actions, specifically, supporting improved food management at household level (a), to reach this aim, food literacy is needed. We agree to emphasize the importance of food portion sizes in food services and catering companies, as an effective way to reduce waste and a potential factor to improve affordability of healthy foods.
- **As regard, point b) Minimising waste and reducing losses in operations and across value chains**, it is paramount that the redistribution of surpluses does not stigmatize low income groups as surpluses are good for all... and on the other side, poses at risk the fact that governments are responsible of reducing inequalities... Searching food marketing opportunities of lower commercial category products at lower prices can make them more affordable for low income consumers and those highly sensitized to reducing food waste, as well as reduce losses and processing of nutritious foods as fruits and vegetables to produce highly processed foods.

As regard Aspirational objective 4: An optimised circular and resource-efficient food chain in Europe, point b) Improving the sustainability of food and drink packaging

- We suggest to include an extra point which is ‘to reduce the amount of packaging used if at all possible, provided it does not pose at risk safety and food information to consumers’

Final considerations:

- We agree with other members/ stakeholders of this ad hoc advisory group on the need of redefining the term “co-creation” (3.3 Enabling conditions) as regard the development of the code, since it would be seen as an explicit support to all its statement and considerations.
- We agree with other members/ stakeholders, on the fact that there is mention of improving social performance but it feels that the contribution to increasing income

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or covering the gap to living income, addressing the SDG 1 (no poverty), is not clearly covered.

- We agree with other members/ stakeholders on the need to know why the mention of “**fair return/reward to producers**” is not included in this draft (T3).
- We agree with other members/ stakeholders on the importance to make a reference on how dietary patterns should change.

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