

Revision of Regulation (EC) No 852/2004 on food hygiene Open Consultation Brussels, 6 August 2020

In the European Union approximately around 88 million tons of food waste are generated annually with associated costs estimated at 143 billion EUR¹. At the same time, around 110 million people were at risk of poverty or social exclusion in 2018 and 36 million people were not able to afford a quality meal every second day².

Through food redistribution, in 2019 European Food Banks belonging to the European Food Banks Federation (FEBA) recovered and redistributed 768,000 tons of food (70% of the total was surplus food) to 45,283 charities assisting 9.5 million deprived people. In Europe the COVID-19 has brought not only grief and suffering but also a new food emergency. Across Europe the European Food Banks Federation are recording an increase demand for food up to 50% compared to the pre-coronavirus period. The outlook for the coming months is certainly not better³. In this context, food redistribution, which is the best destination when surplus food occurs since it ensures the highest value use of edible food resources, is proven to be the most effective approach not only to contribute to food insecurity and manage surplus food but especially for preventing food losses and waste (FLW) at source and shifting from a linear to a circular economy.

Considering the impact that food waste has in Europe and the relevant results achieved so far by food donation as regards food waste prevention, the European Food Banks Federation positively welcome the European Commission's proposed amendments to EU food hygiene rules (Regulation (EC) No 852/2004). Indeed, some of these amendments relate to food donation, with the aim to facilitate redistribution of food whilst ensuring its safety for consumers. In line with the achievements of the [EU Platform on Food Losses and Food Waste](#), and notably the [EU food donation guidelines](#) and the [Key recommendations for action of the EU Platform on Food Losses and Food Waste](#), the inclusion of such amendments in an EU Regulation Annex is of extremely importance for the daily activity of Food Banks. Consequently, these amendments can have a huge positive impact on the activity of Food Banks, especially in those Member States where legislation is still not well structured and defined.

This important step can lead the way and be a valuable leverage to foster the advocacy at national level to develop legislative frameworks for regulating food donation. In fact, the proposed amendments to Regulation (EC) No 852/2004 gives the possibility of food donation

¹ Estimates of European food waste levels' – FUSIONS, March 2016.

² Eurostat, 2018.

³ FEBA Report, [European Food Banks in a post COVID-19 Europe](#), July 2020.



after the 'Best Before' date where food business operators shall routinely check if food under their responsibility is not injurious to health and fit for human consumption. For example, food business operators shall assess that the date of minimum durability ensures sufficient shelf-life left to allow for the safe redistribution and use by the final consumer, together with the integrity of packaging, the proper storage and transport condition, including applicable temperature requirements.

As demonstrated, food waste prevention is widely applicable along the agri-food value chain and can invigorate the efficiency and effectiveness of food business operators. The Commission Regulation (EU) No 852/2004 on the hygiene of foodstuffs as regards food allergen management, redistribution of food and food safety culture amending the Annexes gives the possibility to Member States to make steps towards a better national regulation, opening positive perspectives for Food Banks and the future of food donation with a social purpose.

About FEBA

The European Food Banks Federation (FEBA) is a European non-profit organization and works in collaboration with 24 Full Members and 5 Associate Members in European countries. For 35 years, FEBA mission has consisted in representing its membership at European and international level, supporting and strengthening Food Banks in Europe by providing training, sharing best practice and knowledge, and developing partnerships, and fostering the creation of new Food Banks. FEBA brings together 430 Food Banks which are committed to fight against food waste and to feed the most deprived. Our members provide 4.2 million meals each day to 9.5 million most deprived people through 45,283 charitable organizations thanks to the professionalism of 32,280 co-workers (84% volunteers). In addition to surplus food from the food supply chain, FEBA members also redistribute food from the Fund for European Aid to the most Deprived (FEAD) and the Fruits and Vegetables withdrawal scheme, as well as from individual donations.

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