

Political demands of Foodsharing Luxembourg

1. Mandatory price reduction on food shortly before the expiry of the best-before and use-by dates

We request that there is an obligation for wholesale and retail to offer goods at a price reduction of **at least 30% at least 3 days before reaching the best-before and use-by dates**. Some food businesses, such as E.Leclerc¹ and Naturata², are already doing this voluntarily with success, but not all retailers are yet offering this. The deadline before reaching the date can be adjusted depending on the product type, e.g. for fresh produce with a short shelf life. The approaching date should be highlighted.

Vegetables and fruits that deviate from the norm due to size and have discoloration that is harmless to health must **also** be offered at least 30% cheaper.

2. Obligation to donate food that is still edible

We request that wholesale, retail, online traders as well as food producing and processing companies are **obliged to donate** food. According to this, all goods that they no longer sell, but which do not yet show any traces of perishability, have to be handed over to third parties.

This **includes foods that have passed the best-before date**, as this date does not cause inedibility. Excluded foods are those that *have passed the use-by date*.

The obligation to donate food that is still edible has been implemented in France since 2016³. However, we can learn from the weaknesses of French legislation.

¹ "des produits entre 30 et 50% moins cher", under the heading "Rayons anti-gaspi et paniers surprise":
<https://www.e.leclerc/e/reduire-le-gaspillage-alimentaire>

² 30% discount, under the question "What is NATURATA doing to reduce food waste?":
<https://www.naturata.lu/de/faqs>

³ "French Food Waste Law Changing How Grocery Stores Approach Excess Food":
<https://www.npr.org/sections/thesalt/2018/02/24/586579455/french-food-waste-law-changing-how-grocery-stores-approach-excess-food>

This donation obligation corresponds to a ban on disposing of still edible food in the rubbish bin. In the event of violations, **penalties** must be imposed per violation. Tax breaks are not advisable, as they could possibly tempt food companies to buy more if the spoilage of the goods no longer means a financial loss.

The receiving *third parties* can be private individuals, employees, non-profit organizations or companies. *Third parties* who feed food for human consumption must be given preference to other uses. The **food waste hierarchy** clarifies the corresponding order - prevention comes first, followed by human and then animal consumption, and only then other uses, such as conversion, composting and energy production.⁴ This is also recommended by the EU Platform on Food Loss and Waste.⁵

At the same time, the **incineration and dumping of food must be banned** in Luxembourg, as the NGO *Feedback EU* is also demanding.⁶

3. Introduction of legal certainty for the transfer of edible food

We call for a simplification of the sharing of food, as this food must be consumed as soon as possible.

- The **donating businesses** must be **exempted from liability for the gift of food**, as in Italy⁷.
- **Third-party donors** must be **released from liability in the event of a transfer in good conscience, careful handling and open communication**, as is the case in Italy⁸. Third parties must be treated differently from commercial food businesses in the legislation.

⁴ Graphic "Practical application of the waste hierarchy for food"
https://food.ec.europa.eu/safety/food-waste/eu-actions-against-food-waste/food-waste-measurement_en

⁵ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, page 13:
https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

⁶ "No Time to Waste - Why the EU needs to adopt ambitious legally binding food waste reduction targets", 2022, page 29:
<https://feedbackglobal.org/wp-content/uploads/2022/09/Feedback-EU-2022-No-Time-To-Waste-report.pdf>

⁷ "Regulations against food waste in selected countries". Scientific Services, German Bundestag, 2019, pages 12-18:
<https://www.bundestag.de/resource/blob/648932/7c64ad8483b3e289ce6896fc36198be0/WD-5-046-19-pdf-data.pdf>

⁸ see footnote 7

4. Increasing food appreciation through greater support for the *Antigaspi* campaign

The excellent work of the Ministry of Agriculture's **Antigaspi**⁹ campaign must be **expanded**. Since waste is highest in private households at 72%¹⁰ and 91% of households themselves stated in a recent ILRES survey¹¹ that they regularly throw food in the bin, it is important to provide detailed information and address the problem and its solutions. This includes the appreciation of food, the **distinction between best-before and use-by dates**, and tips on how to reduce food waste in everyday life. Above all, the distinction between the two dates is important. In the ILRES survey, for example, three-quarters confused¹² the definition of best-before date and use-by date.

The improved education of society can be achieved in particular through greater involvement in **school classes of all ages**. In addition, **annual campaigns** for the "International Day of Awareness of Food Loss and Waste" on the 29th of September must be used to educate consumers about possible solutions by increasing the presence of the topic in the media.

Moreover, according to an ILRES survey from 2022,¹³ 84% of respondents support raising awareness of food waste among the population.

For us, this includes **raising awareness against the strong standardisation** of food in retail.

5. Advocating at EU level for the abolition of the best-before date

We demand the **abolition of the best-before date on all product groups**. For example, many products, such as pasta, oil and tea, can be stored correctly for a very long time. Products that have already been exempted from EU law, such as

⁹Antigaspi website: <https://antigaspi.lu/>

¹⁰ Study "Occurrence, treatment and prevention of food waste in the Grand Duchy of Luxembourg": https://environnement.public.lu/dam-assets/documents/offall_a_ressourcen/gaspillage-alimentaire/studie-lebensmittelabfaelle.pdf

¹¹ ILRES survey on food waste in Luxembourg, September 2022: <https://antigaspi.lu/activities/antigaspi-emfro/>

¹² see previous footnote

¹³ see footnote 11

table salt, sugar and vinegar¹⁴, are nevertheless often labelled with a best-before date by the manufacturer. The fact that the best-before date **has little to do with the actual time of expiry of the products** is confirmed, among other things, in a study commissioned by Greenpeace Magazine¹⁵. The labelling of foods with two different dates also contributes significantly to the **confusion**. In the 2022 ILRES survey, 75% of respondents confused best-before dates and use-by dates¹⁶.

If both data were to remain, an EU-wide standardisation of their application would contribute to the harmonisation of the currently different applications by food producers. Manufacturers would then also have to be held accountable. Data information would be explained in simple language, information would be placed clearly visible on the goods and possibly supplemented with a QR code to offer customers further information, such as storage recommendations.

6. Introduction of public monitoring of food loss and waste for all food establishments

We demand the introduction of a **clear definition as well as an obligation to record and document food loss and waste**, in which all waste disposal of food in agriculture, industry, trade and gastronomy are collected. This must also include the food that is not harvested and the food that is harvested but never leaves the farm.

For monitoring, the data, as well as its greenhouse gas equivalent, must be **transparently available to researchers and customers**.

Based on the data obtained, **future measures can be evaluated more systematically and quickly for their effectiveness**, whether within the company to improve itself or at the government level to tighten legal requirements. In addition, companies can **be held accountable**.

Mandatory monitoring is also recommended by the EU Platform on Food Loss and Waste.¹⁷

¹⁴ Regulation (EU) No. 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers Annex X 1. (d):

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011R1169>

¹⁵ Last article in the series on the shelf life of food by Greenpeace Magazine:

<https://www.greenpeace-magazin.de/lesecke/das-haelt-sich-ja-ewig>

¹⁶ ILRES survey on food waste in Luxembourg, September 2022:

<https://antigaspi.lu/activities/antigaspi-emfro/>

¹⁷ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, pages 7, 12 and 17:

7. Introduction of a legally binding target to reduce food waste

We call for a legally binding target to **reduce food loss and waste by 50% by 2030 in all stages of production**, in order to enshrine in law Luxembourg's commitment to the Sustainable Development Goal (SDG) 12.3 and thus provide the necessary resources for this transformation.

Sector-specific and binding targets must be set for the **gradual** reduction of food waste throughout the value chain.

We support the 2019 recommendation of the EU Platform on Food Loss and Food Waste that the EU sets a target to reduce food waste by 50% by 2030¹⁸. In 2022, the NGO *Feedback EU* called for this again¹⁹. Luxembourg should introduce this recommendation at a national level and be considered a pioneer.

8. Integrating the reduction of food loss and waste into climate action

Since reducing food loss and waste is essential to mitigate the climate crisis, reducing food loss and waste must be **integrated into climate change mitigation programmes**. This is also recommended by the EU Platform on Food Loss and Waste²⁰ and is visible through the proposals of the Luxembourg Climate Citizens' Assembly²¹.

https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

¹⁸ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, page 6:

https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

¹⁹ Report "No Time to Waste - Why the EU needs to adopt ambitious legally binding food waste reduction targets":

<https://feedbackglobal.org/wp-content/uploads/2022/09/Feedback-EU-2022-No-Time-To-Waste-report.pdf>

²⁰ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, page 6:

https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

²¹ Calls against food waste in the final report of the Luxembourg Climate Citizens' Assembly, 2022, pages 18 to 19: https://www.klima-biergerrot.lu/files/ugd/dcac1d_5bb495b5584b4618815bb5fd8d9ad66d.pdf

9. Financial support for projects to reduce food waste

We demand **financial support** for all initiatives and associations that aim to reduce food loss or waste, including projects inside food businesses. Here, the **food waste hierarchy** should be applied again and food waste prevention programmes implemented that should take precedence over other waste treatment.²²

- A. **Farms and wholesalers** must be supported in reducing their food losses. This includes **research** and direct involvement in **innovative product developments**, but also the creation of **regional canneries** for produced surplus as well as **markets for rescued food**. This is also recommended by the EU Platform on Food Loss and Waste.²³
- B. **Innovative (research) projects** inside existing small and medium-sized enterprises and **start-ups** in this area need to be supported. The development of **new products based on food waste** and the **adoption of AI-powered forecasting tools to reduce overproduction** must be financially supported so that they can make their processes more efficient and cost-effective. The same goes for new retail players **specialising in food from overproduction or in unusual-looking vegetables**. This is also recommended by the EU Platform on Food Loss and Waste.²⁴
- C. The **law** must be **simplified** so that **fermented products** no longer have to be stored in the refrigerator, as the food has been preserved by fermentation. At present, these are still considered raw.
- D. **Voluntary initiatives and associations** must be supported so that they can create enough jobs to comply with food hygiene standards according to their size, which entails a considerable bureaucratic effort.

In addition, 62% of respondents to the ILRES survey 2022 agreed²⁵ that **digital technologies** can help reduce food waste.

²² see footnote 4

²³ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, page 11:
https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

²⁴ "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste", 2019, page 13:
https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

²⁵ ILRES survey on food waste in Luxembourg, September 2022:
<https://antigaspi.lu/activities/antigaspi-emfro/>

10. Concrete short-term measures to reduce food waste for the gastronomy

In order to reduce food waste efficiently, concrete short-term measures are needed.

For example, catering establishments and canteens must implement the following simple practices:

- Incentivise **pre-orders** through discounts
- Offer **different dish sizes**
- Offer **samples** of the dishes
- **Remove all-you-can-eat offer**
- **Indicate greenhouse gases of each dish**

In addition, every catering business and event organizer must introduce **reusable systems for food**, such as the **Ecobox**²⁶.

Foodsharing Luxembourg will be happy to provide advice and draw on its practical experience in drafting a legal text based on the following requirements.

Further implementation recommendations

In particular, the detailed document "Recommendations for Action in Food Waste Prevention - Developed by the EU Platform on Food Losses and Food Waste" of 12 December 2019 should be mentioned:

https://food.ec.europa.eu/system/files_de?file=2021-05/fs_eu-actions_action_platform_key-rcmnd_en.pdf

²⁶ Ecobox website: <https://ecobox.lu>