



Revision of the EU GREEN PUBLIC PROCUREMENT CRITERIA FOR FOOD AND CATERING SERVICES

EEB comments to the JRC's 2nd Technical Report

30 March 2017

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Summary

The European Commission (EC) is revising the EU Green Public Procurement (GPP) criteria for Food and Catering Services. In January 2017, the Joint Research Centre (JRC) of the EC published the Technical report for the 2nd Ad Hoc Working Group (AHWG) including an updated proposal for GPP criteria.¹

Based on the discussions of this document at the 2nd AHWG meeting on 23 February 2017 in Brussels, this paper provides EEB further recommendations and comments on the revision of the GPP criteria. Our initial comments on the first draft EU GPP criteria for Food and Catering Services submitted in March 2016 remain still valid. This position paper covers only the changes that have been suggested by the JRC in the meantime. The criteria themselves are formulated either as Selection criteria (SC), Technical specifications (TS), Award criteria (AC) or Contract performance clauses (C). For each set of criteria there is a choice between two levels of environmental ambition: core criteria and comprehensive criteria.

The EEB has consulted these draft comments for food and catering services together with its member organisations and other environmental NGOs. We recommend that the JRC's new proposals should be improved considering the following points of concerns which are further outlined in this paper:

- Clearly prioritize key aspects in the core criteria set: organic food procurement, reduction of meat consumption, prevention of both food & packaging waste, limiting the use of chemical products and consumable goods, implementing environmental management measures & practices;
- Move more detailed technical requirements on other aspects into the comprehensive criteria set;
- Clarify that if high percentage of organic produce are procured (>50%), additional criteria on integrated production could be dropped;
- Strengthen the existing criteria proposal for marine and aquaculture food products;
- Reintroduce an award criteria for catering services on using seasonal calendars for purchase of most frequently used fresh fruits and vegetables as part of their menu planning;
- Include organically produced meat into the award criteria for animal welfare;
- Increase the share of fair trade products to at least 50% by weight of the purchased coffee, tea, chocolate (cocoa), sugar or bananas for the core criteria and to 100% for the comprehensive criteria;
- Use different means of verification for the competence of the tenderer such as test meals, references for vegetarian menu planning, documented feedback from customers;
- Prioritize food waste prevention as a technical specification including the mandatory implementation of a system that allows customers to provide

¹ http://susproc.jrc.ec.europa.eu/Food_Catering/stakeholders.html

their feedback on the size of food portions and the quality of prepared meals;

- Define options to promote food redistribution only as an award criterion as measures for preventing food waste in the first place should prevail;
- Keep the contract performance clause on mandatory promotion of tap water;
- Set an award criterion at least in the comprehensive set to prioritize existing refillable options and return systems for beverages as well as reusable packaging and tableware for catering services;
- Formulate an award criterion for using vending machines that offer the option to allow for reusable cups.

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General comments on the JRC technical report

Although in general the EEB welcomes the scope and contents of the proposed GPP criteria set for food and catering services, we would like to point out that there is a need to highlight those criteria with the biggest potential to reduce the environmental impact and to avoid trade-offs with less relevant requirements. Environmental NGOs clearly prioritize ambitious criteria on organic food procurement, reduction of meat consumption, prevention of both food & packaging waste, limiting the use of chemical products and consumable goods, implementing environmental management measures & practices.

Additional requirements e.g. on kitchen equipment and vehicle fleets should be considered mostly in the comprehensive criteria set. This should be done in a balanced way that does not penalize or even discriminate against small and medium size companies (SMEs) that have an outstanding performance on the above-mentioned key criteria for food and catering services but cannot afford certain investments, monitoring and certification procedures to fulfil those tender specifications.

Draft EU GPP Criteria Proposal for Food

1) Organic Food products (TS1, AC1)

The EEB welcomes the ambition levels set for the technical specifications (20%/60% in mass or 10%/30% in volume) and the respective award criteria for tenders going beyond those levels.

We strongly recommend not lowering the ambition further. Other stakeholders like the cities of Copenhagen, Gent and Vienna stated that their cities did not have any problems to reach an ambition level of 30%. This percentage could even be reached by them without higher costs.

There are several other examples in Germany, like the cities of Munich, Nuremberg and Heidelberg that can confirm these statements of the listed European cities.

2) Marine and aquaculture food products (TS2, AC2)

In general, the EEB supports the proposed criteria but suggests strengthening them by following the clarifications and improvements as suggested in the comments of the WWF:

In order to avoid that the tenderer deals with contradictory recommendations the procurer should choose:

- One specific Seafood guide as main reference e.g. a national seafood guide such as those issued by the WWF
- A potential second reference Seafood guide exclusively to cover species that are not covered on the first reference
- In addition, as a minimum legal basis, an exclusion of
 - Any sea or freshwater species assessed by the IUCN Red List as Critically Endangered or Endangered excluding products of species

coming from aquaculture with closed life cycle (no impacts on wild populations)²

- Any wild sea or freshwater species listed under CITES Appendix 1
- Endangered, Threatened and Protected Species as defined by national legislation or international agreements³

The WWF sustainable seafood guide reflect the respective national market of the EU MS. The guides are based on sustainability risk assessments based on a peer reviewed methodology. These methodologies are regularly updated so that they remain relevant and scientifically robust. Fisheries and aquaculture experts conduct these assessments of fisheries and aquacultures pursuant to these methodologies, making use of publicly available scientific data and documents to assess the environmental sustainability of seafood origins.⁴

We recommend a minimum of 20% for the core and a minimum of 60% threshold for the comprehensive criteria (measured by weight or volume for both marine and aquaculture products). An additional comprehensive criterion should be that 80% of any product not complying with an organic certification or a seafood ecolabel as described in the JRC proposal should be “green” or “recommended” in the sustainable seafood guide that has been chosen by the procurer as reference. The % for the award criteria must be adapted accordingly.

For the verification it should be highlighted that the tenderer should provide verified information that as a minimum includes the information that needs to be provided to the end consumer⁵ and the respective regulation for tuna Council Regulation (EEC) No 1536/9 and sardines Council Regulation (EEC) No 2136/8). This level of information encompasses inter alia

- latin species name,
- production country (aquaculture) or catch area (wild catch), and
- gear

This information is also required to ensure compliance with the core criteria TS2. In addition, adequate traceability should be ensured in order to guarantee compliance with the criteria. This could be ensured either via a Chain of Custody certification of a recommended Seafood certification or with compliance with the WWF seafood traceability principles.⁶

3) Seasonal Produce (removed criteria)

In the EEB’s opinion the GPP criteria should give incentives to avoid unnecessary environmental impacts caused by using fruit and vegetable imported via aircraft. Catering can be used to demonstrate how seasonal grown fruit and vegetable can be prepared in a tasty way.

² IUCN Redlist: <http://www.iucnredlist.org/>

³ CITES Appendices: <http://www.cites.org/eng/app/appendices.php>

⁴ http://wwf.panda.org/how_you_can_help/live_green/out_shopping/seafood_guides/methodology/

⁵ see COM Regulation No 1379/2013, chapter IV

https://ec.europa.eu/fisheries/sites/fisheries/files/docs/body/eu-new-fish-and-aquaculture-consumer-labels-pocket-guide_en.pdf

⁶ http://assets.worldwildlife.org/publications/796/files/original/WWF_Traceability_Principles_for_Wild-Caugh_Fish_April_2015.pdf?1430410438

Therefore the EEB urges the JRC to reintroduce an award criterion for catering services on using seasonal calendars for purchase of most frequently used fresh fruits and vegetables as part of their menu planning. That's what several procurers at local level have already implemented, e.g. in Copenhagen. This criterion has also been integrated in the sustainability criteria for meal services and catering, published by The National Agency for Public Procurement in Sweden.⁷

4) Integrated production (TS3, AC3)

The EEB proposes clarifying that if a high percentage of organic produce are procured (>50%), additional criteria on integrated production could be dropped.

5) Animal welfare (TS4, AC4)

The EEB recommends including organically produced meat into the award criteria for animal welfare

6) Fairly traded products (AC5)

The JRC should increase the share of fair trade products to at least 50% by weight of the purchased coffee, tea, chocolate (cocoa), sugar or bananas for the core criteria and to 100% for the comprehensive criteria

7) Packaging (removed)

The EEB disagrees with dropping any requirements on packaging in the criteria procurement. Instead we suggest reintroducing an award criterion for using refillable and reusable packaging at least for catering services in regions where sustainable return systems exist. This could be easily integrated into the existing criteria on waste prevention for catering services along with prevention of single use trays, individual portion packaging etc.

These types of criteria have also been integrated in the sustainability criteria for meal services and catering, published by The National Agency for Public Procurement in Sweden.⁸

The previous JRC proposal on awarding fully (100%) compostable materials (according to standard EN 13432) for food-contaminated packaging or single use items could also be integrated into the TS8 criterion on environmental management measures and practices for catering services, if an effective separate collection of organics and their treatment in an industrial composting facility are established.

8) Sustainable palm oil (AC6)

Due to the high environmental impact of palm oil, the EEB recommends to increase the share of sustainable palm oil to 100% (organic production or "identity preserved" and "segregated" palm oil).

⁷ <http://www.upphandlingsmyndigheten.se/en/sustainable-public-procurement/sustainable-procurement-criteria/food/meal-services-and-catering/operation/menu-planning/#bas>

⁸ <http://www.upphandlingsmyndigheten.se/en/sustainable-public-procurement/sustainable-procurement-criteria/food/meal-services-and-catering/packaging/>

Draft EU GPP Criteria Proposal for Catering Services

Editing note: The numbering of the AC differs in the main text from the summary in table 4 on page 27. We used the correct numbering in the table, starting from AC1 up to AC3, while in the main text of the criteria proposal the numbering start from AC2 up to AC4.

1) Competences of the tenderer (SC1)

The EEB recommends using different means of verification for the competence of the tenderer such as test meals, references for vegetarian menu planning, documented feedback from customers, building on the examples that front running public procurers have already implemented to green their catering services. It is quite important that the customer accepts vegetarian dishes as a very tasty alternative to reduce the meat proportion in public food services and catering and that also new small and innovative caterer should be given a chance.

2) Promotion of vegetarian menus (TS2)

The EEB recommends formulating more precise recommendations for food procurement to favour vegetarian alternatives like e.g. offering a number of vegetarian dishes per week or reducing the meat proportions to a level that is recommended by national nutrition guidelines. In addition, the contractor should have an instrument in place to optimize its vegetarian offers according to customers' preferences. Therefore, we propose to require mandatory implementation of a feedback mechanism where customers can comment on the size of food portions, the quality of the meal and the overall menu planning as a contract performance clause.

3) Avoidable food waste: prevention and redistribution (TS3)

The EEB asks the JRC to prioritize food waste prevention as a technical specification in the core criteria including the mandatory implementation of a system that allows customers to provide their feedback on food portions and the quality of prepared meals (see above). In addition the comprehensive criteria set could define options to promote food redistribution only as an award criterion as measures for preventing food waste in the first place should prevail.

4) Other waste: prevention, sorting and disposal (TS4)

The EEB welcomes the additional criteria, including provisions to promote both food and packaging waste prevention.

5) Chemical products and consumable goods (TS5, AC1)

The EEB welcomes the criteria on avoidance of disposable items. On chemical products, kitchen rolls and paper, the EEB recommends that the comprehensive criteria TS 5.2 and TS 5.3 should also apply as TS in the core criteria set with a minimum threshold of at least 50%.

6) Energy and water consumption in kitchens (TS6, AC2)

The EEB recommends simplifying these criteria. Beyond the TS on best practices for minimizing energy and water consumption, they should only apply to the comprehensive criteria set.

7) Food transportation (TS7, AC3)

Overall, the EEB agrees with the minimum requirements (TS7.2): Euro 5 for LCV/ Euro V for HDV: it means that the vehicles should not be older than 7 years for LCVs and 9 years for HDVs. This should be achievable by most service providers, especially since the criterion specifies that the requirement applies only to the vehicles "used in carrying out the service," not to the entire fleet of the service provider.

On AC.4.1 (wrong numbering in the main text! It should be AC.3.1): we think the bonus for the tenderer offering service delivery fleet totally composed of Euro 6/VI is good, since it is important to have a mechanism providing incentives for fleet renewal in GPP criteria.

On AC.4.2 (wrong numbering in the main text! It should be AC.3.2): The 50g CO₂/km limit is set in the NEDC test cycle. Since the new WLTP test cycle will enter into force in September 2017, we recommend translating this value to make the criteria future proof: this would mean ca. 35g CO₂/km on WLTP.

If it comes to prioritizing certain environmental aspects in the core criteria set, one option could be to apply these requirements only to the comprehensive criteria set.

8) Environmental management measures and practices (TS8, C3)

The EEB supports the proposals both for the core and comprehensive criteria sets.

9) Tap water for drinking (C1)

The EEB recommends keeping the proposed contract performance clause on mandatory promotion of tap water.

10) Purchase of new kitchen equipment (C2)

In general, the EEB agrees with the JRC's proposal although the references to the very detailed AC make it hard to understand. According to us, catering services should be asked to purchase only kitchen appliances that are eligible to the highest populated efficiency class on the EU energy label. For some professional machines (e.g. professional dishwashers) no Energy label may exist. In these cases, we support the JRC's proposal to associate a list of points or to target the benchmark level of respective Ecodesign regulation.

Draft EU GPP Criteria Proposal for vending machines

Editing note: The numbering of the TS differs in the main text from the summary in table 5 on page 58. The table misses out TS2 and TS 3 for fairly traded and environmentally responsible palm oil. Therefore smart controls should be TS4 and reusable cups TS5. Also the numbering of the different AC in the individual chapters does not follow any logic, starting with AC1, then AC6 and again AC1?



The EEB welcomes the development of a separate set of criteria on vending machines⁹ and support the JRC's proposals on Organic food products (TS1, AC1), smart controls (currently TS2), annual energy consumption (should be AC4), and GWP potential of refrigerants (should be AC5).

On the criteria for fairly traded products (TS2, AC2) and environmentally responsible palm oil (TS3, AC3), we strongly recommend increasing the proposed threshold up to 100% for the comprehensive criteria.

Finally, we suggest formulating an award criterion for using vending machines that offer the option to use reusable cups (instead of current TS3).

END

⁹ For comparison please consult also the sustainability criteria proposal published by the National Agency for Public Procurement in Sweden: <http://www.upphandlingsmyndigheten.se/en/sustainable-public-procurement/sustainable-procurement-criteria/food/vending-incl.-coffee-vending-machines/>