



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

EEB comments to the JRC technical report and draft criteria proposal

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Summary

The European Commission (EC) is revising the EU Green Public Procurement (GPP) criteria for Food and Catering Services. In February 2016, the Joint Research Centre (JRC) of the EC published the Technical report for the 1st Ad Hoc Working Group (AHWG) including proposals for draft GPP criteria and a comprehensive draft working document (Preliminary Report¹).

Based on the discussions of these documents at the 1st AHWG meeting on 8 March in Seville, this paper provides EEB recommendations and comments on the revision of the GPP criteria. EU GPP criteria 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 the draft criteria set for food and catering services together with its member organisations and other environmental NGOs. We recommend that the proposal should be improved with regard to the following points of concerns which are outlined in further detail in this position paper:

- Revise and improve the justification of the criteria on organic food
- Specify the criteria for marine and aquaculture food products and define a threshold of 10% as core criteria and 25% for the comprehensive criteria
- Formulate the criterion on “free-range eggs” as technical specification
- Specify the award criteria which are most relevant according to widely available animal welfare standards
- 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
- Prioritize reusable/ returnable packaging options within the award criteria
- Specify most relevant aspects in the criteria for sustainable palm oil production and require traceability of the original source at least in the comprehensive criteria
- Change the core and comprehensive selection criteria on environmental management measures and practices to award criteria and make sure that they do not exclude small and innovative catering services that have an outstanding performance on the food-related criteria
- Formulate a new core criterion on menu planning to provide a “daily vegetarian offer” or to set a maximum share or amount of meat on the weekly offer
- Add a technical specification that requires a feedback system that helps adapting food portions to the client in order to reduce food waste
- Increase the thresholds for purchasing sustainable paper and cleaning products to 50% as core criterion and 100% as comprehensive criterion
- Clearly prioritize reusable packaging and tableware in the award criteria

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



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 for the procurement process. Environmental NGOs clearly prioritize ambitious criteria on food procurement, menu planning and training for catering services, including measures to reduce food waste.

Additional requirements e.g. on environmental management measures and practices, equipment and vehicle fleets should be considered in general only as award criteria. 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 the tender specifications.

Finally, the EEB would like to request clarification on a possible gap between the two criteria sets proposed. We need to ensure that a public procurer for food products who does not contract a catering service (but e.g. runs an in-house canteen or cafeteria) also has to meet certain requirements that are only listed for catering services such as menu planning and prevention of food waste for example. If this topic has not been addressed yet e.g. in the scope definitions, the JRC should definitely consider it for the updated version of the technical report.

General comments on the JRC technical report

The EEB considers the arguments given in the technical report for integrating a criterion on organic food in public tenders as being rather weak and not very convincing. Therefore, the EEB thinks that the justification for defining a technical specification on purchasing organic food in Green Public Procurement needs to be revised. Since switching to the purchase of organic food products normally leads to higher purchasing costs, it is very important to deliver strong arguments for this criterion.

At the same time, the EEB would like to emphasize that a certain percentage of organic food products can be purchased even without any increase in costs by changing the meal composition: e.g. lowering the percentage of meat and dairy products and substituting them by cereals and vegetables, as well as by buying fresh food according to the seasonal offer of the region and establishing local food purchasing chains. The example of a project run by the city of Munich called "Bio for Kids" demonstrated that it is possible to purchase even 100% organic food with an overall cost increase of only 13,3% compared to conventional food.²

Although the EEB is aware that in general the EU GPP criteria need to be based on the results of LCA studies, this only makes sense in our view when existing LCA studies come to conclusive results based on significant differences between the systems under consideration. In the case of organic versus conventional agriculture this is obviously not the case, mainly due to the overwhelming variety of existing agricultural systems. Therefore, in this case, the EU GPP criteria should take scientific results beyond LCA methodology into consideration. As a consequence, the EEB strongly recommends not focusing the argumentation for organic food products solely on the results of LCA studies.

In addition, the EEB would like to stress that the results of those LCA studies cannot easily be generalized. The results of the different LCA studies are always given for the defined scope and system so that they cannot easily be compared. It is also obvious that with regard to the overwhelming existing variety of agricultural systems, there is a big lack of data. This has also been confirmed e.g. by the results of the pilot study on meat products to establish Product Category Rules in the Environmental Footprint process coordinated by DG Environment.

EEB recommendations

- Cite other reliable scientific studies that clearly confirm the environmental advantages of organic farming e.g. with regard to soil fertility and biodiversity.³

² http://www.muenchen.de/rathaus/Stadtverwaltung/Referat-fuer-Gesundheit-und-Umwelt/Bio_regional_fair/Biostadt_Muenchen/Leitprojekte/Bio_fuer_Kinder.html

³ In this context, the EEB would like to point out in particular the long-term study of the Swiss Institute of Organic Agriculture (FiBL Suisse) that presents the data from a period of 30 years on carbon sequestration: <http://www.fibl.org/en/media/media-archive/media-release/article/organic-farming-enhances-soil-carbon.html>
Further recommended sources are provided in the annex of this paper.

- Add the following environmental hotspots to the technical report: Land use and land use change in the food product categories “oils and fats” (e.g. palm oil), “hot drink” (e.g. cultivation of coffee, cacao, sugar cane and tea) and “confectionaries”.

Draft EU GPP Criteria Proposal for Food

1) Organic Food products (TS1, AC1)

The EEB welcomes the ambition levels set for the technical specifications (25%/50%) and the respective award criteria for tenders going beyond those levels. Other stakeholders like the cities of Copenhagen, Gent and Vienna welcomed them as well and 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.

As supported by other stakeholders from the public procurement, the EEB recommends expressing the criteria in terms of weight (or mass) of the total procurement amount of food and drink products within the contract instead of expressing the criteria in terms of the total procurement costs. It is easier to manage for the public procurer and you will probably reach higher amounts of organic food to be purchased. At least, it should be given the possibility to choose between the percentage of cost or total amount.

The EEB is in favour of using the criterion also for vending machines. But we recommend working out a guideline that explains how these criteria can be used for vending machines. This is a bit complicated because there is a broad range of vending machines and also the offer of vending machines differs to a great extent (e.g. only coffee automats or a mix of vending machines for hot drinks, cold drinks, sweets and snacks).

EEB recommendations

- Revise the criteria on organic food with regard to express the criteria in terms of weight (or mass) of the total procurement amount of food and drink products within the contract instead of expressing the criteria in terms of the total procurement costs (or give the choice between these two possibilities)
- Develop a guideline that explains how these criteria can be used for vending machines

2) Marine and aquaculture food products (TS2, AC3)

The EEB recommends revising the wording of the criteria. The criteria need to be formulated in a precise way to handle them in public procurement. For example, it says the marine product shall comply with the following principle: is conducted in a manner that does not significantly alter the age, genetic structure or sex composition of the captured stock. It would be better to address harmful fishing methods that are not allowed. Another point could be to address that by-caught

is handled in an environmental-friendly manner. If you look at fish products raised in aquaculture e.g. the use of antibiotics, hormones and feed could be addressed.

The EEB also recommends defining a core criterion that sets a percentage of 10% of the amount (in mass) of marine and aquaculture products that shall be compliant with the principles that should be revised as mentioned above, and to increase the percentage to 25% in the comprehensive criteria. It should be possible to reach these ambitious levels, even if it may require in some cases switching to other fish species. It should be possible to increase the ambition level of these criteria, taking into account that large enterprises such as Nestlé Germany switched to 100% MSC certified tuna for Pizza production.

EEB recommendations

- Revise the criteria as described above
- Define a threshold of 10% as core criteria and set the ambition level for the comprehensive criteria up to 25%

3) Seasonal Produce (TS3)

The EEB welcomes setting a criterion for using seasonal products. It can give a push in the direction that the responsible persons plan their menu in the context of the local production. Buying seasonal food and building up local food chains can also help to lower the costs for food purchase.

This has been confirmed e.g. by a project of the city of Munich ("Bio for Kids" – "Bio für Kinder"): Lowering the percentage of meat and dairy products and substituting them by cereals and vegetables, as well as by buying fresh food according to the seasonal offer of the region and establishing local food purchasing chains, the city of Munich achieved menus made of 100% organic food offered for municipal kindergardens. The overall costs increased by 13.3%⁴. The city of Copenhagen stated that they also have very good experiences with such a criterion on seasonal food.

The EEB recommends deleting the word non-refrigerated in the criteria. Results of Product Carbon Footprint (PCF) studies⁵ show that at least with regard to the impact category greenhouse gases" refrigerated food is not less environmental-friendly than other food choices like fresh, chilled or canned products. The refrigerating process also helps to avoid food losses along the food chain.

EEB recommendation

- Delete the word "non-refrigerated"

⁴ http://www.muenchen.de/rathaus/Stadtverwaltung/Referat-fuer-Gesundheit-und-Umwelt/Bio_regional_fair/Biostadt_Muenchen/Leitprojekte/Bio_fuer_Kinder.html

⁵ See e.g. <http://www.oeko.de/publikationen/p-details/klimabilanz-tiefkuehlkost-ergebnisbericht/>

4) Integrated production (TS4, AC2)

The EEB supports the intention to formulate criteria on integrated production. Nevertheless, we recommend specifying the criteria by addressing the production methods that should be promoted (e.g. needs-based fertilisation). Since no exact definition for the term “integrated production” exists, it is very important to clearly work out which characteristics of integrated production should be addressed in public tenders.

The EEB agrees that the criterion should only be formulated as part of the comprehensive GPP criteria set or to be moved to the award criteria because of the low availability in some countries. None of the other stakeholders present at the AHWG argued that a technical specification on integrated production should be formulated as core criteria.

EEB recommendation

- Specify the criteria according to which production methods should be promoted

5) Animal welfare (AC4)

The EEB welcomes the intention to set criteria addressing animal welfare. Nevertheless, the EEB highly recommends specifying the criteria. Since there are animal welfare standards of different ambition levels, it is necessary to define the animal welfare criteria that should be addressed in a public tender.

Most important to environmental NGOs would be aspects such as respecting natural behavioral needs of farm animals and meeting their minimum space requirements. Furthermore, the EEB recommends formulating the core criterion on “free-range eggs” as a technical specification since such eggs are easily available in high quantities.

Mainly representatives from different environmental ministries and from public procurement offices pointed out that it is quite important to reduce the purchased meat quantities in order to switch to meat supply of higher quality.

EEB recommendations

- Specify the criteria which are most relevant according to widely available animal welfare standards
- Formulate the criterion on “free-range eggs” as technical specification

6) Fair trade products (AC5)

The EEB does not agree with the proposed thresholds that we consider being too low and not ambitious enough. Therefore, we suggest to require

- at least 50% by weight (not by procurement cost!) of the purchased coffee, tea, chocolate (cocoa), sugar or bananas that have been produced taking sustainable/ethical considerations into account for the core criteria;

and

- 100% of the purchased coffee, tea, chocolate (cocoa), sugar or bananas have been produced taking sustainable/ethical considerations into account for the comprehensive criteria.

Stakeholders from public procurement departments explained that they do not face any problems in buying “Fair Trade products” in higher amounts.

EEB recommendation

- Increase the thresholds for purchasing fair trade products (see above)

7) Packaging (AC6)

In general, the EEB welcomes the criteria set, but we are concerned that all listed options for primary and secondary packaging are rated equally. We would suggest to clearly prioritize the first option in the award criteria, i.e. reusable and returnable packaging systems. Only in cases where this is not possible or adequate, the other options such as use of recycled content, sustainably sourced fibres or biodegradable materials should be eligible for award points.

With regard to the requirement “Food products are supplied in packages certified compostable/biodegradable according to EN 13432, or equivalent and 90% biodegradability in 6 months has been demonstrated in a single or combined composting and/or anaerobic digestion process”, the EEB would like to establish a link with the criteria on waste sorting and disposal (TS6). Environmental benefits can only be assumed if separate collection of biowaste actually takes place. Why should biodegradability be rewarded if the packaging waste is burned? In addition, only if biodegradable packaging materials (that meet the above mentioned requirements) do not disturb or deteriorate the local treatment process for biowaste (i.e. composting or anaerobic digestion), it would make sense to define it as an award criterion. The JRC should provide a disclaimer for the procurer to check this issue with local waste authorities before defining it as a default option.

EEB recommendations

- Prioritize reusable/ returnable packaging options within the award criteria
- Require a check with competent authorities if biodegradable packaging materials are compatible with local treatment processes for biowaste

8) Sustainable palm oil (AC7) and other schemes of sustainable food production

In general, the EEB supports the criteria but we recommend specifying it. It should address specific aspects of sustainable palm oil production that can be tackled by GPP criteria. However, there are concerns that certification options currently available such as RSPO do not offer enough guarantee of sustainable production. In this regard, EEB would like to require at least in the comprehensive criteria that only traceable palm oil is allowed: This includes sources from organic farming or “identity preserved” (IP) and “segregated” (S) palm oil.

The EEB also suggests checking if the proposed criteria area on other schemes of sustainable food production could be integrated into the criteria set on integrated

production. Furthermore, the EEB takes the view that soybeans and sugar from sugarcane do not belong to the most important items in public procurement for food products.

EEB recommendations

- Specify most relevant aspects in the criteria for sustainable palm oil production and require traceability of the original source at least in the comprehensive criteria.
- If possible and needed, integrate any other criteria on sustainable food production into the criteria set on integrated production instead of creating new categories

Draft EU GPP Criteria Proposal for Catering Services

1) Staff training (SC1)

The EEB fully supports the criteria on staff training proposed by the JRC. It is very important to train both staff responsible for procurement and staff responsible for catering. Representatives from the cities of Gent and Copenhagen also pointed out that the proposed minimum duration is too short.

EEB recommendation

- Increase the minimum duration of 16 hours for new catering staff

2) Environmental management measures and practices (SC2)

The EEB recommends adapting these criteria, since even the proposed core criteria are too ambitious for small companies. In Germany, especially some very good caterers for school and kindergarten catering could not fulfil the proposed core criteria. A representative from the city of Gent made the same experience.

EEB recommendation

- Change the core and comprehensive selection criteria on environmental management measures and practices to award criteria and make sure that they do not exclude small and innovative catering services that have an outstanding performance on the food related criteria

3) Food procurement

The EEB fully supports the idea that the final set of criteria on food products is also applied for the procurement of catering services.

4) Menu planning (TS5)

The EEB welcomes very much the proposed criteria on menu planning because of the great potential of lowering the environmental effects of food consumption.

But we highly recommend formulating a new core criterion “daily vegetarian offer”. Especially the public procurers present at the 1st AHWG meeting supported this proposal.

For those caterers that offer only one meal or menu per day, a maximum amount of meat based menus should be set. The EEB suggests a maximum amount of two meat based menus per week. Another option could be that the share of meat products in the menu week plan should be based on general nutrition recommendations like the recommendation of the German Society for Nutrition that recommends 300-600g meat/week for an adult.

We also recommend adding another two aspects to the food waste minimisation plan: As part of the core criteria, the catering service has to provide a feedback system that helps adapting food portions to the clients. The offering of doggy bags could be considered within the comprehensive criteria.

EEB recommendation

- Formulate a new core criterion on menu planning to provide a “daily vegetarian offer” or to set a maximum share or amount of meat on the weekly offer
- Add a technical specification that requires providing a feedback system that helps adapting food portions to the client

5) Waste sorting and disposal (TS6)

The EEB welcomes the proposed criteria set on waste sorting and disposal.

6) Consumable goods (e.g. paper products, tableware, cleaning products) (AC8)

The EEB does not agree with the proposed thresholds for paper and cleaning products that we consider being too low and not ambitious enough. It is quite easy to reach 100% sustainable products for these categories. Therefore, we suggest 50% as core criterion and 100% as comprehensive criteria for both product groups. Several public procurers stated that they do not have problems to get environmental-friendly consumable goods as paper articles and cleaning agents.

Although reusable tableware is clearly prioritised within the award criteria, the environmental benefits of the proposed criteria for disposable tableware needs to be validated: With regard to the core requirement “Points will be awarded to tenders that prove that a minimum of 50% of the cutlery units is certified according to EN 13432, EN 14995 or equivalent and 90% biodegradability in 6 months has been demonstrated in a single or combined composting and/or anaerobic digestion process”, we can assume that this would create a mixed stream of biodegradable and non-biodegradable waste. In order to promote separate collection and treatment of biowaste, this situation should be avoided. Either the requirement is raised to 100% or it should be removed from the core criteria set.

Furthermore, the EEB would like to establish a link with the criteria on waste sorting and disposal (TS6). Environmental benefits can only be assumed if separate collection of biowaste actually takes place. Why should biodegradability be rewarded if the disposable tableware is burned? In addition, only if biodegradable tableware materials (that meet the above mentioned requirements) do not disturb or deteriorate the local treatment process for biowaste (i.e. composting or anaerobic digestion), it would make sense to define it as an award criterion. The JRC should provide a disclaimer for the procurer to check this issue first with local waste authorities before defining it as a default option.

EEB recommendation

- Increase the thresholds for purchasing sustainable paper and cleaning products to 50% as core criterion and 100% as comprehensive criterion
- Require a check with competent authorities if biodegradable tableware materials are compatible with local treatment processes for biowaste

7) Equipment (AC9)

In general, the EEB agrees with the proposed criteria on equipment, but we recommend checking if the proposed ambition levels for these award criteria are too difficult to fulfil for catering services provided by Small and Medium Sized Enterprises (SMEs).

8) Vehicle fleet and planning of food delivery (TS7)

In general, the EEB agrees with the proposed criteria but we recommend checking if these technical specifications could be formulated as award criteria in order to not exclude SMEs that might find it too hard to comply.

9) Staff training (C1)

The EEB supports this criterion.

10) Waste sorting and disposal (C2)

The EEB supports this criterion but recommends lowering the frequency proposed for monitoring the waste management practices.

Annex

Studies investigating the environmental benefits of organic farming systems

Swiss Institute of Organic Agriculture (FiBL Suisse):

<http://www.fibl.org/en/media/media-archive/media-release/article/organic-farming-enhances-soil-carbon.html>

Original publication: A. Gattinger, A. Mueller, M. Haeni, C. Skinner, A. Fliessbach, N. Buchmann, P. Mäder, M. Stolze, P. Smith, N. El-Hage Scialabba, and U. Niggli (2012) Enhanced top soil carbon stocks under organic farming

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Fliessbach, Dr. Andreas und Mäder, Dr. Paul (2006) Productivity, Soil Fertility and Biodiversity in Organic Agriculture. Contribution presented at the conference: Joint Organic Congress, Odense, Denmark, May 30-31, 2006.

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Rahmann, Gerold (2011) Biodiversity and Organic farming. What do we know *Landbauforschung - vTI Agriculture and Forestry Research* 3 2011 (61)189-208; http://literatur.thuenen.de/digbib_extern/bitv/dn049070.pdf

Intensive agriculture practices and biodiversity loss

Relyea, R.A. 2005. The impact of insecticides and herbicides on the biodiversity and productivity of aquatic communities. *Ecological Applications* 15:618-627.

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Tilman, D., Cassman, K.G., Matson, P.A., Naylor R., and Polasky, S. 2002. Agricultural sustainability and intensive production practices. *Nature* 418: 671-677.