

## Milk is Milk – protection of dairy terms

Our European model of consumer protection and dairy terms protection is a global success: this week, Panama has published its rules for the protection of dairy terms.

Inspired by the European way of protecting dairy terms and hence consumer interests, the new rules in Panama fully take into account what's at stake here: *"For protecting consumers, non-dairy products may not use dairy terms on labels, commercial documents advertising material or in images, drawings or other ways of advertisement"*.

*"In Europe some try to propel their business strategy by creating and promoting misunderstandings on the raison d'être and the extent of this part of our consumer protection acquis communautaire. With the open intention to blur the lines between milk & dairy and so-called 'plant-based alternatives' they undermine clear consumer information – we trust that the EU trilogue partners stand firm"*, stated **EDA secretary general Alexander Anton**.

Read here our letter to the EU institutions ["Fake milk uses fake news"](#).



## EU Marketing Standards - revision process launched

European marketing standards and common product definitions have proven very instrumental in assuring concise and transparent consumer information, guaranteeing a level playing field within the market competition and in facilitating trade. The extensive evaluation of marketing standards published by the EU Commission in November 2019, underlines the effectiveness, positive efficiency, pertinent relevance and coherence of the existing marketing standards. This study finds that 'significant added value' is provided by marketing standards.

This study also underlines the need for a better protection of dairy terms.

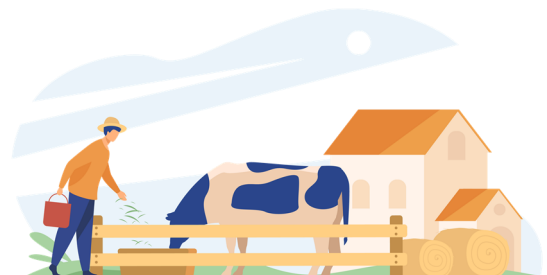
The EU Commission has placed the resilience of the agri-food chain on top of its priority list within the Farm to Fork strategy, and as EDA we are surprised not to see an evaluation of the role EU marketing standards play in the facilitation of the food trade within the EU Single Market and hence in assuring food supply and food security in first 'roadmap' for a potential revision of our marketing standards.

## EDA contributes to the Commission's consultation on LULUCF revision

In the light of the enhanced EU climate targets, the European Commission is considering revising the key relevant energy and climate legislation. In this context, a public consultation on the revision of the LULUCF (Land Use, Land Use change and Forestry) scheme was conducted in January 2021. The framework sets a binding commitment for each Member State to ensure that emissions from land use are entirely compensated by an equivalent removal of CO<sub>2</sub> from the atmosphere through action in the sector.



In our contribution to [the consultation](#), we have highlighted the potential of pastureland for sequestering atmospheric carbon and the need to receive adequate financial support for enabling more ambitious climate action in the land-based sectors.



## Farm to Fork strategy

### European Parliament's second hearing

The EU Parliament's AGRI and ENVI Committees held a second public hearing on the Farm to Fork strategy last week. The two groups exchanged views with a panel of experts composed by academics and farmers' representatives.

Amongst others, law professor **Olivier De Schutter** underlined the importance of aligning the CAP objectives with the Farm to Fork strategy and achieving shorter food supply chains.

**MEP Paolo de Castro (S&D, IT)** stressed the need to protect EU agricultural producers from international competitors and asked the EU Commission to present the impact studies on the strategy. **MEP Ulrike Müller (RE, DE)** highlighted the carbon sequestration potential of European pastureland. Different interventions from farmers associations and NGOs criticised the labelling system based on the French "Nutri-Score". The AGRI-ENVI Committees are expected to finalize the EP report on Farm to Fork in April 2021.

## The 'code of conduct' for 'responsible business use and marketing practice' is taking shape

As part of the Farm to Fork strategy, the European Commission officially launched in January 2021 its "Code of Conduct for Responsible Business and Marketing Practices", aimed at encouraging the uptake of sustainable practices and commitments by the 'middle of the food chain' (that is food processors and retailers). The Code is expected to be drafted by June 2021.

The EU Commission expects industry to take the lead on the drafting, in a multitude of groups. The exact structure of the drafting 'team' and 'process' is still being debated.

We asked to base this Code on the three pillars of sustainability and encompass all of them: economic, social and environmental (climate and wider environmental goals). The EU Commission would like to see some 'aspirational and broad targets', that everyone can support and many commitments can be added.

The commitment sharing – so-called 'pledging' - is planned from July on.

The Code and its commitments will be the basis for the EU input to the UN Food systems Summit later this year, and the baseline for the pieces of the future 'sustainable food legislation' (that is also part of the Farm to Fork Strategy).

**2021: Save the date!**

**Wednesday 24 March 2021**

**EDA Dairy Policy Conference 2021**

Online

## Sustainable financing through EU taxonomy

The European Commission is currently finalizing its so-called "Taxonomy Regulation". The EU follows hereby various jurisdictions that have already implemented different ways to regulate sustainable finance by defining which economic activities can be considered as sustainable.

The EU sees this initiative as an important tool in implementing the European Green Deal. The taxonomy is first and foremost a tool for investors to decide to invest into taxonomy-compliant economic activities. We, as EDA, have been in contact with a wide range of stakeholders as well as with the relevant DG's in the European Commission. The Commission services are currently preparing the first delegated act and the taxonomy should be established by the end of 2021 and will apply by the end of 2022.



## Exchange with IFOAM Organics Europe

Last week our members and companies' experts had the opportunity to exchange informally with **Emanuele Busacca**, Regulation Manager at IFOAM Organics Europe, on a variety of organic-related topics. The discussion covered several dossiers of common interest linked to the implementation of the new Organic Regulation, including cleaning agents and disinfection, the list of additives authorised in organic products, and veterinary medicines.

We look forward to continue our collaboration and exchange of knowledge with IFOAM Organics Europe.

## EU trade:

### EDA welcomes the continuous SPS Market Access improvement

The European Commission recently launched a new Sanitary and Phytosanitary (SPS) sub-section for business organizations under the non-public Market Access Database. This new platform allows EDA to directly upload documents related to SPS barriers faced when trading with third countries. Business associations are now not only able to share updates on import legislation of third countries, health certificates, or import procedures, but also access the information shared by colleagues from other organisations. EDA welcomes the continuous SPS Market Access improvement and we hope that the new reporting system will help to speed up the process of solving SPS issues with third countries.

## CAP Reform: negotiations ongoing

Negotiations on the reform of the EU's Common Agricultural Policy (CAP) continue at a steady pace. As EDA, we celebrate the proactive approach on the negotiations of the co-legislators, and we keep working in the different regulations towards a comprehensive outcome, especially in the Common Market Organisation (CMO) file.

Back in December 2020 the EU Commission provided each [EU country with tailor-made recommendations](#) on the CAP National Strategic Plans which intend to assist in the drafting of the national CAP strategic plans by identifying the key areas each EU country should focus on. In this context, in the meeting of the SCA of 1 February, EU Council experts were focused on working in some technical questions of the Strategic Plans Regulation. Our EDA CAP task Force meeting on 24 February 2021 will be a well timed opportunity to exchange on these important files.

## EEX: EU Cheese Indices in the starting blocks

Germany based EEX is exploring the possibilities to launch cheese indices for a number of cheese varieties. This initiative is supported by major operators in the EU dairy supply chain and aims to develop a robust and regulated method for the regular publication of benchmark prices for Europe's leading cheese varieties, that some may call 'commodity cheeses'. The initiative remains open for additional contributions from physical market participants. Interested parties should contact **Sascha Siegel**, 'Mr Dairy' at EEX, the mastermind behind the raw milk indices of EEX and of this initiative and well known within the European lactosphere.



## Carbon Border Adjustment Mechanism

Last week the EU Parliament adopted its resolution on a WTO-compatible EU Carbon Border Adjustment Mechanism (CBAM). Proposed by the EU Commission as part of the Green Deal, the measure aims at reducing carbon leakage, ensuring that the price of imports in the EU reflect more accurately their carbon content. It is essential that the CBAM is compatible with WTO rules and not perceived as any form of protectionism by our international partners. Any effective tool to limit carbon leakage should help EU producers to reduce their carbon footprint and protect them from unfair imports, without altering the competitiveness of EU sectors on the internal and external markets. It should also avoid any disruptions of international trade flows.

For the last six years, **Léa Vitali** shaped our EDA / EWPA communication – she created the visibility of the 'lactophère' in Brussels and beyond and she brought our EWPA initiative wheyforliving.com up and running. We all congratulate her for opening a new and exciting chapter in her professional career in Brussels and thank her for her commitment, energy and enthusiasm.

After the 'handover', our new colleague **Álvaro Ruiz** will bring his experience and dedication into our team and our lactospheric communication.

## Your favourite Dairy Product?

**//** *In my mind, dairy products in Europe are all unique and delicious. But I like to spotlight the not-so-well-known traditional "Munster fermier" (PDO) from my home region, Lorraine.*

*This soft cheese made from cow's milk has a characterful scent and subtle taste. I love it on the cheese board for Christmas together with white wine, but especially when served in a farmhouse inn in the Summer, in the middle of a long hike in the Vosges.*



**Léa Vitali**

**//** *Without a doubt, my favourite dairy product is cheese, in all its shapes and forms. From Feta to Gouda, Emmental or Parmigiano-Reggiano, cheese just makes any dish better, even in sweet recipes (who doesn't like cheesecake?). Coming from Madrid, situated very near of Castilla-La Mancha in Spain, I've grown up enjoying the delicious taste of Queso Manchego, a type of cheese from this region and a must in my family's meals.*

*All in all, cheese is life!*

**Álvaro Ruiz**





## The Dairy Flash Spotlight

### Ensuring accurate, useful and credible information to EU consumers

Last week, the EU Commission closed a public consultation on the revision of some parts of the [Food Information to Consumers Regulation](#), in particular on front-of-pack nutrition labelling (FOPNL), country of origin labelling for some foods, including milk as ingredient and date marking ('use by' and 'best before'). The Inception Impact Assessment (IIA) covered the setting of nutrient profiles in the context of [nutrition and health claims](#).

As introduction of mandatory FOPNL, nutrient profiles and origin labelling may have a huge impact for dairy products we welcomed the opportunity to contribute with [EDA detailed comments](#).

Dairy foods are a particular food group with a unique nutrient composition determined by its major component, milk. Contrary to many other food products, it is not easy (or even desirable) to modify or manipulate the natural nutritional composition of dairy products to adjust the nutrient levels to the thresholds of FOPNL or nutrient profiles. There are EU and national legal rules to follow for dairy products, e.g., cheese or butter, that largely limit or prevent any modification of the recipe.

We raised to the attention of the EU Commission that none of the proposed FOPNL options recognises the nutritional value of milk and dairy products and allows consumers to understand their essential contribution to a healthy and balanced diet. More details can be found in [our EDA guiding principles on front-of-pack nutrition labelling schemes](#).

We therefore oppose the concept of nutrient profiles for dairy categories. The basic concept of nutrient profiles limited to fats, saturated fats, salt and sugar does not correctly reflect the dietary importance of core food groups, such as dairy products, which are recognised as highly nutritious foods by the official food based dietary guidelines.

EDA believes that policy should be evidence and science-based, so we support last week's announcement that by March 2022, EFSA is expected to deliver a [Scientific opinion on development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles](#).

EFSA advice will include nutrients of public health importance for EU populations, food groups which have important roles in the diets of European populations and subgroups, criteria to guide the choice of nutrients and other non-nutrient components of food for nutrient profiling.

[EDA guidelines on voluntary origin labelling for milk dairy products](#) are part of our sectorial commitment to ensure an accurate and credible labelling information to the EU consumers.

While we have always supported an EU harmonised voluntary origin labelling scheme, we oppose any form of national or European additional mandatory measures on origin labelling for milk and/or dairy products. In line with the EU Commission's own [assessment](#) carried out back in 2015, we believe that mandatory EU origin labelling for milk and dairy products should not be pursued for major reasons, including segmentation and renationalisation of the internal market.

We are also highly concerned that continuation of national schemes on mandatory origin labelling will lead to further fragmentation of the EU Single Market as well as creation of trade barriers – both inside and outside the EU. Following the recent ECJ C-485/18 ruling on the French mandatory origin labelling for milk and dairy, it is clear to us that national measures should have never been allowed in the first place.

We also question why products directly competing with milk and dairy are not included in the EU Commission IIA. Obliging milk and dairy products to bear mandatory origin indication, but not the competitive products, would clearly add extra costs and hence be a competitive disadvantage to our sector.

EDA will follow with the highest interest next steps of the EU Commission impact assessment, which will involve a number of further stakeholder consultations in the course of 2021.