

FIAB – The Spanish Food and Drink Industry Federation

Meeting with the Official Delegation of the US Trade Mission to Spain

Madrid, 30th November 2022



1. Initiatives of the ‘Farm to Fork’ (F2F) in 2023



Type of Initiative	Current status	Indicative Timetable
Proposal for a legislative framework for sustainable food systems	Development of Impact Assessment Report after public consultation	End of 2023
Evaluation and revision of the existing animal welfare legislation, including on animal transport and slaughter of animals (and animal welfare labelling).	Analysis of the consultation (closed on 09.22.2022) on the impact of Animal Welfare labelling	Q ₄ 2023 - Q ₁ 2024
Set nutrient profiles to restrict promotion of food high in salt, sugars and/or fat.	Development of Impact Assessment Report after public consultation	Q ₄ 2022 - Q ₁ 2023
Proposal for a harmonized mandatory front-of-pack (FOP) nutrition labelling	Development of Impact Assessment Report after public consultations	Q ₄ 2022 - Q ₁ 2023
Proposal to require origin indication for certain products	Development of Impact Assessment Report after public consultations	Q ₄ 2022 - Q ₁ 2023
Proposal for a revision of EU rules on date marking (‘use by’ and ‘best before’ dates)	Development of Impact Assessment Report after public consultations	Q ₄ 2022 - Q ₁ 2023
Proposal for a review of the labelling of beverages with alcoholic content (list of ingredients and nutritional information)	Development of Impact Assessment Report after public consultations	Q ₄ 2022 - Q ₁ 2023
Proposal for a revision of EU legislation on Food Contact Materials	Public consultation open until 11.01.2022	Q ₂ 2023
Review of the Waste Framework Directive (includes food waste)	Development of Impact Assessment Report after public consultation	Q ₂ 2023

→ health warning - Ireland leading the charge.

1. Initiatives of the 'Farm to Fork' (F2F) in 2023



Type of Initiative	Current status	Indicative Timetable
Proposal for a revision of EU marketing standards for agricultural, fishery and aquaculture products to ensure the uptake and supply of sustainable products	Published on 05.12.21 the Strategic Guidelines for a more sustainable and competitive EU aquaculture for the period 2021-2030. In Spain, the Law on Sustainable Fisheries and Fisheries Research is in parliamentary process.	Development pending
Review of the EU school scheme legal framework with a view to refocus the scheme on healthy and sustainable food.	Development Pending . In Spain, work is already underway. A draft on a Decree to regulate food supply at schools has been recently published.	Work is expected to start in 2023

2. Other EU legal initiatives of interest



Type of Initiative	Current status	Indicative Timetable
Review of EU legislation relating to the taxation of alcohol and crossborder purchase of alcohol products.	2021- Impact assessment done.	EC proposal stills pending.
Proposal for mandatory labelling of the list of ingredients and nutrition declaration on alcoholic beverage label, as well as health warnings.	Mandatory labelling is part of the review of the Food Information to consumers Regulation.	2023
Reduce the exposure of young people to online marketing of alcoholic beverages through monitoring the implementation of the Audiovisual Media Service Directive.		2023-2025

3. Spanish legislation of interest – currently in development

Type of Initiative	Current status	Indicative Timetable
Draft Royal Decree on controls and other official activities Establishes the requirements applicable to controls and other official activities "in situ" and it will also address the control and sampling of products marketed by remote means. The written records will be updated in accordance with the provisions of Art. 13 of Regulation (EU) No 2017/625. It will update the procedure to carry out analyses or tests or diagnoses on samples in accordance with the requirements of Regulation (EU) No 2017/625.	Analysis of the comments received in the public consultation process	2023
Draft Royal Decree regulating labelling in braille alphabet and other formats to guarantee universal accessibility to goods and consumer products of special relevance It is intended to address the regulation of labelling in Braille alphabet and other formats (for example, quick response (QR) codes) to guarantee universal accessibility to goods and consumer products of special relevance.	The text of the Draft Royal Decree is pending development	-----
Draft Royal Decree on the regulation of food and drinks advertising (marketing) aimed at children.	Public consultation completed. National Commission of Markets and Competition (CNMC) report published.	
Draft Royal Decree establishing regulations for the development of articles 40 and 41 of Law 17/2011, on food safety and nutrition, for the promotion of a healthy and sustainable diet in educational centers	Public consultation completed.	

4. Initiatives of the 'Green Deal' in 2023

Type of Initiative	Current status	Indicative Timetable
Proposal for a Regulation concerning the placing on the Union market and the export from the Union of certain raw materials and derived products associated with deforestation and forest degradation.	Commission proposal on 4Q 2021. Parliament and Council preparing their position.	Trilogue 2022/2023
Proposal for a Regulation on green claims.	Next publication proposed 4Q Commission 2022 (delayed)	Parliament and Council position 2023
Revision of the Packaging and Packaging Waste Directive (strengthening of essential requirements) → Regulation.	Next publication proposed 4Q Commission 2022 (delayed)	Parliament and Council position 2023
Revision of the Waste Framework Directive (includes food waste reduction targets).	Public consultations by the Commission (initial impact assessment, questionnaires and workshops with stakeholders).	Proposal Commission 2Q 2023

→ reusable packaging

4. Initiatives of the 'Green Deal' in 2023

Type of Initiative	Current status	Indicative Timetable
Revision of the Industrial Emissions Directive and the PRTR Regulation.	Proposal Commission 2Q 2022. Parliament and Council preparing their position.	Trilogue 2023
Proposal for a Directive on consumer empowerment in the green transition.	Commission proposal on 1Q 2022. Parliament and Council preparing their position.	Trilogue 2023
Proposal for a Directive on corporate due diligence in sustainability (Sustainable corporate governance).	Commission proposal on 2Q 2022. Parliament and Council preparing their position.	Trilogue 2023
Proposal for a Directive on corporate sustainability reporting (updates Non-Financial Reporting Directive).	Commission proposal on 2Q 2022. Parliament and Council preparing their position.	Trilogue 2023

→ No misleading claims or information

4. Initiatives of the 'Green Deal' in 2023

Type of Initiative	Current status	Indicative Timetable
Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair commercial practices in business-to-business relationships in the agricultural and food supply chain.	Approval in Spain of Law 16/2021, on measures to improve the functioning of the food chain, for its transposition	Transposition in some Member States such as Spain
Industry Law, within Component 12 of the Recovery, Transformation and Resilience Plan.	Public Consultation finalized	Fourth quarter 2023
Proposal for a Directive laying down the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic.	Commission adoption: comment period finalized	Final Directive pending

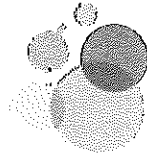
5. Spanish legislation of interest – currently in development

Type of Initiative	Current status	Indicative Timetable
<p>Law 7/2022 on waste and contaminated soils Transposes Directive 2018/851 on waste and Directive 2019/904 on single-use plastics. Among other things, it regulates the management of different waste streams; sets prevention, readiness-for-reuse and recycling targets; defines Extended Producer Responsibility (EPR) and the costs associated with it. <u>It introduces a special tax on non-reusable plastic packaging. The tax rate is 0.45 €/kg of virgin plastic.</u> <i>45 € per tonne</i></p>	<p>Approved and published in the Official Gazette in April 2022</p>	<p>Entry into force of the tax: 01/01/2023</p>
<p>Draft Royal Decree on packaging and packaging waste Transposes Directive 2018/852 on packaging and packaging waste. It sets targets and measures for prevention, reuse, incorporation of recycled plastic, separate collection, recycling; specifically regulates the RAP for domestic, commercial and industrial packaging, indicating the scope of the costs to be assumed. Much more ambitious than the directive it transposes.</p>	<p>Pending processing in the Council of State and approval in the Council of Ministers</p>	<p>Approval and publication in December 2022.</p>

6. Spanish legislation of interest

Type of Initiative	Current status	Indicative Timetable
<p>Law 16/2021 : food chain law This regulation transposes into national law Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair business-to-business commercial practices in the agricultural and food supply chain. Compared to previous legislation, certain new features have been introduced:</p> <ul style="list-style-type: none"> • It increases the scope of application • It introduces a larger number of abusive and unfair practices • the need to register food contracts, that must be formalized by writing before delivery in all commercial relations. To this end, a digital register of food contracts will be set up in January 2023. • The Food Information and Control Agency (AICA) is recognized as an interlocutor with the European institutions • the cost of production or total costs must be borne by the supplier • more infringements and penalties are introduced 	<p>Approved and published in the Official Journal in December 2021</p>	<p>Entry into force of the tax: 16/12/2021</p>

EU sets regulations. Individual members are negatively affected. Some decisions are too strict. Germany holds the hard line.



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