

FRANCE MOVES TOWARD A NATIONAL POLICY AGAINST FOOD WASTE

By Marie Mourad,
researcher at the
Center for the Sociology
of Organizations—
Sciences Po, Paris



Acknowledgments

The author would like to thank JoAnne Berkenkamp, Dana Gunders and the rest of the NRDC team for their assistance in writing and publishing this report. This research was supported by Region Ile de France, under the supervision of Sophie Dubuisson-Quellier at the Center for the Sociology of the Organizations. The author is grateful to Alex Barnard for reviewing and providing insights on the first drafts of this document.

About NRDC

The Natural Resources Defense Council is a international nonprofit environmental organization with more than 1.4 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Montana, and Beijing. Visit us at nrdc.org.

NRDC Chief Communications Officer: Lisa Benenson
NRDC Deputy Director of Communications: Lisa Goffredi
NRDC Policy Publications Director: Alex Kennaugh
Design and Production: www.suerossi.com

© Natural Resources Defense Council 2015

France moves toward a national policy against food waste

In April 2015, French policymakers released ambitious proposals for a national policy against food waste, offering a rich set of ideas for prevention, recovery and recycling.¹ Some measures, including a ban on supermarket food waste, have already entered the legislative process, and others may follow. Because the original, 75-page report, [“Fighting Food Waste: Proposals for a Public Policy,”](#) is not currently available in English, NRDC requested this distillation of key elements of the report.² This write-up summarizes each of the 36 proposals.

The proposals are the result of a yearlong study housed within the Ministries of Agriculture and the Environment. They reflect a collaborative process, led by Parliament member Guillaume Garot, that drew upon input from 120 experts and stakeholders. Their report calls for 36 regulatory and policy measures across the French food system.

If these proposals are approved and implemented, they will place France on the cutting edge of the fight against food waste internationally.

“Fighting Food Waste: Proposals for a Public Policy” begins with the observation that the estimated level of food waste—about 300 pounds per person per year in France—reflects a crisis in food production and consumption systems. In a context of limited resources, fighting food waste is viewed as integral to building a more ethical society. The report authors build upon the 2013 National Pact Against Food Waste goal of cutting food waste in half by 2025. The proposed policies against food waste also aim to create a new form of collaborative policy development in partnership with civil society, business, government, and grassroots movements.



The authors assert as a core principle the idea that food is not a commodity like other commodities and that preventing food waste is the highest priority, followed by reuse (e.g., through donations) and recycling (through animal feed, anaerobic digestion, composting, and related means). They envision that food waste reduction can become a sustainable economic activity, leading to the development of new businesses and jobs.

The report's 36 proposals are organized into three groups. The first group covers actions to be taken by various stakeholders in the food system including producers, processors, retailers, and restaurants. The second group addresses tools with which to implement policies, including the creation of a dedicated agency and 1,000 community service positions focused on food waste. The third proposes new models of policy and governance related to European and international institutions.

The chart below highlights the 36 proposals included in the report.

PROPOSAL	
Part 1: Stakeholder responsibilities	Part 2: The tools of a public policy on food waste
1. Set into law a hierarchy of preferable actions to fight food waste	19. Create a dedicated public agency to implement food waste policies
2. Create innovative communication	20. Measure food waste
3. Clarify expiration dates on food products	21. Mobilize households to conduct a large-scale food waste study
4. Organize local food recovery days	22. Establish 1,000 community service positions focused on food waste
5. Offer lifelong education about sustainable food	23. Offer grants to encourage innovation
6. Ban supermarkets from throwing away edible excess food	24. Create zero-waste certification program
7. Mandate donations to charitable organizations	25. Require product quality in exchange for tax benefits
8. Ban destruction of edible food	26. Assess impact of food waste regulations
9. Message about food waste in retail advertisements	27. Build innovative partnership to overcome logistic challenges
10. Enable donation of rejected "house" brand products	Part 3: Toward a new model of development
11. Use QR codes to better inform consumers	28. Develop local working groups and local strategies against food waste
12. Adjust portion and packaging sizes	29. Create dedicated mechanisms in case of a production crisis
13. Improve use of expiration dates	30. Coordinate public policies related to food
14. Encourage use of food by-products for animal feed	31. Form an inter-ministry committee on food waste
15. Extend tax incentives to processed agricultural products	32. Require clemency on Dumpster-diving and gleaning
16. Better regulate gleaning activities	33. Establish a European committee against food waste
17. Strengthen professional training on food waste	34. Push for changes in European regulations to reduce food waste
18. Promote the "doggie bag"	35. Integrate food waste in COP 21 climate change negotiations
	36. Establish a decentralized cooperation mechanism: "1 percent" against food waste

Six of the above proposals were approved by both bodies of the French Parliament in mid-2015. However, the French Constitutional Council subsequently raised procedural concerns, making it necessary for Parliament to reconsider proposals #1, 5, 6, 7, 8, and 10 before they can be submitted to the President for final approval.

Proposed Policies

Part 1: Stakeholder responsibilities

Proposals in this section of the report recommend actions by stakeholders across the food system, including large waste generators, food processors, retailers, restaurants, and educators.

1. Set into law a hierarchy of preferable actions to fight food waste

A “food recovery hierarchy” will be added to existing incineration and landfill diversion targets for businesses and institutions generating large quantities of food and organic waste.³ By 2025, any organization producing waste above a given threshold will be required to direct those resources to their highest possible use, in the following order: recovery of edible food for human consumption, animal feed, industrial uses, anaerobic digestion, and composting. In particular, fines may be applied if food fit for human consumption is used for animal feed or composted.

This measure was approved by the National Assembly on May 26, 2015, and by the Senate in mid-July 2015. The bill also established a goal of implementing separate collection of all organic waste (both residential and commercial) by 2025 and instituting a pay-by-weight system for organic waste disposal for 15 million residents by 2020.⁴

2. Create innovative communication: “I don’t throw things out anymore”⁵

Proposed public communication efforts on food waste reduction would target individuals at home and at the workplace. Awareness campaigns would be implemented by a new national agency in charge of waste prevention with a budget of several million euros. A dedicated website would be set up and linked to social networks, emphasizing positive (rather than guilt-based) messaging.

3. Clarify expiration dates on food products

As most consumers do not fully understand different types of expiration dates now appearing on food packages, the wording needs to be made clearer, notably through the use of “best before” language instead of “consume preferably before.” Information, education, and training about the meaning of date labels would be provided for food service professionals.

4. Organize local food recovery days

A national, annual “food recovery day” would be set up to mobilize communities and businesses at the local level, including grocery stores and restaurants. This would be an opportunity for companies and individuals to donate shelf-stable or fresh products and for local organizations to recruit potential volunteers and build partnerships.

5. Offer lifelong education about sustainable food

Because knowledge about farming, cooking, and choosing products helps prevent waste, education is viewed as a priority. The bill approved by the French Parliament in July 2015 mandates that food waste be addressed in school curricula. Educational effort will start at the primary school level with an emphasis on food production and continue through high school with additional material on food waste. Education on food waste should also become part of professional training for individuals working in the agriculture and food sectors.

6. Bar supermarkets from throwing away edible excess food

Under the bill recently approved by Parliament, retailers will have a legal obligation to reduce, reuse, or recycle their extra food, with financial sanctions if they do not comply. For instance, supermarkets will be encouraged to create “zero-waste sections” where they sell products close to their expiration dates, and to designate “zero-waste coaches” to raise awareness among workers and help manage products reaching the end of their marketable life. For the remaining unsold products, grocery stores will have to donate them when they are edible. When not edible, organic waste will have to be recycled.



7. Mandate donations to charitable organizations

Grocery stores will be required to sign agreements with authorized charitable organizations in order to donate extra food that the organization requests. The agreement is intended to ensure the quality and usability of donations. Because tax incentives are relatively high in France—60 percent of food value and related logistics costs—they will be granted only for non-expired products that can actually be used (i.e., donated more than one day before the expiration date). The bill approved by Parliament in July 2015 states that grocery stores larger than 400 square meters will have to set up agreements with authorized nonprofit organizations by July 1, 2016.

8. Ban destruction of edible food

It is common practice for stores to put bleach on their discarded food to make sure it is not recovered. The bill passed by the Parliament in July 2015 makes it illegal for stores to destroy edible products. State inspectors will monitor this to ensure that products are destroyed only in cases of real food safety risk. Otherwise, stores may receive a fine equivalent to US\$4,000.

9. Message about food waste in retail advertisements

The government would mandate specific messages about food waste in retail advertisements (including TV ads), similar to current mandatory messages about nutrition and health.

10. Enable donation of rejected “house” brand products

Food manufacturers will now be able to donate items that are rejected by a retailer, even if they display a retailer’s own “house” brand. (To date, manufacturers have typically been barred by retailers from donating such products to protect the retailers’ brand image.) This measure was approved by Parliament as part of the bill on energy transition in July 2015.

11. Use QR codes to better inform consumers

Product information—such as dates, nutrition information, storage, and cooking instructions—are currently difficult to read on many product labels. Under this proposed voluntary measure, manufacturers and retailers would be encouraged to use QR codes and smartphone applications to provide consumers with additional information on products.

12. Adjust portion and packaging sizes

A significant amount of consumer food waste is driven by large portion sizes and very large package sizes for grocery products. Although regulations would not be put in place, the government would encourage good practices in the retail and food service sectors such as more appropriately sized plates, portion sizes, and packaging options; pay-by-weight options; and other innovations. The government itself seeks to be exemplary in terms of waste prevention and reduction. For instance, some public schools are already rethinking portion sizes. Such initiatives would be expanded under this proposal.

13. Improve use of expiration dates

Concern has arisen that retailers could use product date labels in an abusive way with their suppliers, for instance by using dates inappropriately to reject products if they have an excess. In response, the proposed policy would regulate the way dates are used in supply contracts.⁶ Further, the bill approved by Parliament in July 2015, in line with European regulation, bans expiration dates on products such as fresh produce, wine, bakery goods, vinegar, salt, sugar, and sweets.⁷ Also, France will push for a longer list of products that don't require "best before" dates at the European level.

14. Encourage use of food by-products for animal feed

Many products that are not appropriate for human consumption can be fed to animals. That said, discarded food used to feed animals has to be safe, nutritious, cost-competitive, and available on a reliable basis to meet the needs of animal producers. Authorities in charge of monitoring diversion rates would have to differentiate "by-products" (that could be used as animal feed) from "biowaste." European regulations would also have to evolve in order to better define "by-products" and encourage their use as animal feed.

15. Extend tax incentives to processed agricultural products

Currently, farmers receive tax incentives when they directly donate their primary production. The government is currently discussing with tax authorities the possibility of extending incentives to transformed products.⁸ These will cover agricultural products that require a first processing stage (milk, flour, etc.) so that after a first stage of transformation, the producer will still receive a tax incentive, and not only the miller or milk processor.

16. Better regulate gleaning activities

Gleaning activities are authorized by a law dating to the year 1554. However, many producers are reluctant to allow gleaning operations on their land because of liability and product traceability issues. The Ministry of Agriculture would provide a model contract for use between farmers and nonprofit organizations that engage in gleaning activities.

Further, the case of "imperfect produce" receives specific attention, but the report notes that the issue is controversial. While the report does not include a formal proposal on this issue, it encourages efforts to sell more off-grade produce at a reduced price and explore processing opportunities for these products.

17. Strengthen professional training on food waste

Many workers along the food chain are not aware of the causes and impacts of food waste. Under this proposal, training would be offered in the food service sector and in related professional fields, for instance in restaurant management, accounting, and agricultural schools. Training on food waste prevention would be part of mandatory food-handling certification programs.

18. Promote the "doggie bag"

According to experts, the practice of taking leftovers home still faces strong cultural barriers in France. Many restaurant patrons do not dare ask for their leftovers, and chefs may view the practice as offensive. However, under this proposal, policymakers and restaurants committed to food waste prevention would promote the practice through public communication and awareness campaigns.

Part 2:

Tools for Implementation

The policy proposals in the second group suggest that the French government should dedicate human and financial resources toward food waste prevention and recycling goals and must modify current regulations that hinder food waste reduction.

19. Create a dedicated public agency to implement food waste policies

To date, responsibility for policies to reduce food waste has been shared by the Ministry of Agriculture and the Ministry of the Environment through an agency in charge of waste prevention.⁹ To set up consistent and efficient policy, the report recommends the creation of a national agency with dedicated human and financial resources. Inspired by the Waste and Resources Action Program (WRAP) in the United Kingdom, this agency would have an annual budget equivalent to US\$33 million to US\$43 million financed by public and private funds.¹⁰ The agency would be in charge of communication, research, tools and expertise, management of civic service contracts and grants for specific projects, certification, and intervention in times of overproduction in the agricultural sector.

20. Measure food waste

Raising awareness and setting up efficient policies require better quantification of food waste at both the local and the national levels. One of the first missions of a new national agency to address food waste would be to improve research on food waste in France using methods currently being developed at the European level.¹¹

21. Mobilize households to conduct a large-scale food waste study

In France, data on consumer waste have not been updated since 2008. The authors of the report recommend conducting a large-scale study with volunteer households that could share data through online systems or mobile applications.

22. Establish 1,000 community service positions focused on food waste

The government would dedicate 1,000 civic service positions—similar to AmeriCorps—to food waste-related projects at the local level. Training would be offered to young people interested in getting involved.

23. Offer grants to encourage innovation

Many French governmental and scientific institutions offer grants to encourage innovation, especially among researchers and municipalities. The new food waste agency would promote grant-making on innovative practices and technologies to reduce food waste.



24. Create zero-waste certification

A proposed “zero food waste” label would reward good practices among businesses and municipalities. Based on voluntary commitment, the implementation of zero-food-waste practices would be monitored through an independent audit process, similar to ISO 9001 (quality management) or ISO 22000 (food safety) certification. The label would enable companies and municipalities to document and communicate their actions to reduce and recycle food waste.

25. Require product quality in exchange for tax benefits

As mentioned above, generous tax incentives for food donation in France amount to 60 percent of the value of donations, up to a maximum of 0.5 percent of a company’s (or farm’s) sales. The recognized value of donations includes the goods’ stock value and logistical costs pertaining to the donation



(notably storage, transportation and sometimes pro bono work). Given the extent of these incentives, which are the highest in Europe, they would be granted under this proposal only for products of good quality that recipient organizations do not have to throw away. The Ministry of Finance is now examining how to regulate incentives through better measurement and qualitative assessment of donations.

Although not a formal recommendation, large corporations would be encouraged to include data on food waste in their Corporate Social Responsibility statements in order to foster greater transparency.¹² These corporations are currently required to provide information about waste management and resource use (energy, purchases, etc.), but not food waste specifically.

26. Assess impact of food waste regulations

In France, new laws and regulations are subject to an environmental impact assessment. Food waste could become part of this assessment for national regulation and European directives, including ex-post assessments to improve existing regulations. In particular, the Ministries of Agriculture and of the Environment would mandate an environmental assessment of current regulations related to food waste.

27. Build innovative partnerships to overcome logistic challenges

Logistics—particularly related to information, food storage, and transportation—are among the biggest obstacles to redistribution of surplus food. The report encourages innovative partnerships to overcome these challenges at the local level. Many successful initiatives—such as on-site processing of surplus produce at wholesale markets, and online platforms and mobile apps for food recovery—show that such opportunities exist and have potential to grow. The new agency in charge of food waste would identify and connect stakeholders such as start-up companies and municipalities to scale up innovative solutions. In the long run, policymakers envision the development of a new sector of the economy working to reduce food waste, partly funded by tax incentives.

The report also underscores opportunities to create jobs through food waste reduction. For example, socially oriented businesses that transform surplus food—making jam, soup, and other products—can generate jobs that facilitate the integration and employment of marginalized populations (in part through employment contracts that are partially subsidized by the French government).

Part 3:

Toward a new model of development

The authors of “Fighting Food Waste: Proposals for a Public Policy” view the proposals as an opportunity to experiment with new forms of policy and governance based on local innovation in relation to European and international institutions. Fighting food waste could be a path for greater solidarity in global production and consumption systems.

28. Develop local working groups and strategies against food waste

Grassroots movements and local initiatives have a critical role to play. To support and sustain local innovation, municipalities would set up conferences or regular working groups on food waste and measurable goals focused on specific projects. These strategies could be included locally in existing waste-prevention and food programs.¹³

29. Create dedicated mechanisms in case of a production crisis

Overproduction in agriculture and wide swings in food prices currently generate significant food waste and loss. The new agency in charge of food waste would be charged with establishing the necessary logistics to face potential production crises (such as sharp price drops or other market shifts that leave farmers unable to sell product). This could include fostering stronger connections between producers and nonprofits, and transporting surplus products. Improved tax incentives (notably on semi-processed products) would be a way to compensate producers for their donations.

30. Coordinate public policies related to food

There are potential synergies to be leveraged among policies that are currently segmented among various ministries and agencies. Policies and communication campaigns on food waste would be coordinated with the ministerial departments and agencies in charge of nutrition and health, agriculture, consumption, and the environment.

31. Form an inter-ministry committee on food waste

Different ministries would meet regularly to discuss policies related to food waste in many domains: education, finance, health, waste prevention, and so on.



32. Require clemency on Dumpster-diving and gleaning

Rescuing food on private property, such as fenced cropland or Dumpsters on store grounds, is currently illegal. Under this proposal, a judicial statement would recommend clemency for persons rescuing food who do not damage or harm the “victim” (e.g., the farm or the store). In the long term, the Ministry of Agriculture would also clarify the regulatory framework around food rescue in order to facilitate gleaning activities and donation to stores’ or restaurants’ employees.

33. Establish a European committee against food waste

European institutions are key to food waste issues within European Union member states, as many regulations related to agriculture, food safety, and waste management are decided at the European level. The European Commission has set up several groups of national experts to work toward the goal of reducing food waste by 30

percent by 2025. Beyond current working groups, food waste could be discussed in the Council of European Ministers or in a dedicated committee led by the Commission. This work could lead to a white paper for a European policy on food waste consistent with European food assistance policies.

34. Push for changes in European regulations to reduce food waste

European regulations on food production and food safety are possibly the strictest in the world. Yet the report authors emphasized that efforts to protect people and animals should not lead to unnecessary waste. Further regulations can be improved to reduce waste without reducing food quality. In particular, the list of products for which European regulations do not require a “minimum duration” date could be extended to products like pasta, rice, and oil. Other potential improvements could be discussed with the European Food Safety Authority.

35. Integrate food waste into United Nations Climate Change Conference negotiations

Given that food waste uses natural resources and generates significant greenhouse gas emissions, the topic could be included in negotiations during the Conference of Parties (COP 21) in Paris in December 2015. Working groups could be organized in partnership with the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Environment Programme. In particular, the report authors view this as an opportunity to obtain support through the Green Climate Fund for food waste reduction.

36. Establish a decentralized cooperation mechanism: “1 percent” against food waste

Development agencies and the FAO are key entities involved in food waste reduction around the world. In France, a financial mechanism encourages local waste management entities (generally municipalities) to use 1 percent of their revenues to fund cooperation and development projects that address waste pollution. A similar mechanism could be set up for food waste. Municipalities in developed countries could share technical skills and fund projects in developing countries to reduce food waste.

Recognizing that enough food is now produced in the world to feed everyone, the report authors assert that wasting food is not only an economic and environmental concern but an ethical one. Emphasizing the responsibility of each organization and each citizen to address the issue, the report proposes a foundation for a national public policy against food waste in France. These ambitious proposals will likely encounter resistance, and not all 36 will be enacted in the near future. Nevertheless, six have already passed both bodies of Parliament, and the report has drawn significant worldwide attention to the issue of food waste. Overall, this proposal provides a rich set of ideas to ramp up existing efforts and develop new actions that could make France an international model for food waste prevention and recycling.

ENDNOTES

- 1 *Lutte contre le gaspillage alimentaire: propositions pour une politique publique*, Mission Parlementaire menée par Guillaume Garot, April 14, 2015, <http://agriculture.gouv.fr/telecharger/72171?token=17ca3443c44991falf25c901dc7a66ce>.
- 2 Translation and distillation by the author.
- 3 This regulation is part of the Environmental Code (article R 543-225) and targets entities (excluding households) producing more than 10 tonnes per year of organic waste or 60 liters per year of cooking oil in 2016.
- 4 By January 2017, the government would also study costs and benefits associated with the alternative treatment of organic waste through garbage disposals and wastewater treatment.
- 5 The French “*Je ne jette plus*” carries a positive connotation about not throwing things out anymore.
- 6 In supply contracts, the client (retailer) is granted a given period—a share of the marketable life of the product—to sell the product after its delivery. If the delivery is delayed, the retailer can reject the product even if there would still be time to sell it. The proposal aims at changing the way periods are set up so that products’ lives (from production to expiration date) would be better “shared” between manufacturers and retailers.
- 7 Based on Annex X -1-d in EU regulation 1169/2011, Parliament and Council, October 25, 2011.
- 8 Such mechanism has existed for milk since 2014 and could be developed for other products such as jam or juice made of donated fruit.
- 9 Agence de l’environnement et de la maîtrise de l’énergie (ADEME—Agency of the Environment and Energy Management)
- 10 WRAP has a £65–£80 million (\$122–\$126 million) annual budget for four main priorities, among which food waste is paramount.
- 11 In Europe, a project called FUSIONS (Food Use for Social Innovation by Optimising Waste Prevention Strategies), which runs from August 2012 to July 2016, has developed a protocol to measure food waste as part of efforts to significantly reduce such waste for a more resource-efficient Europe.
- 12 “Large corporations” are defined as publicly traded corporations and companies with more than 500 workers or a balance sheet above €100 million euros.
- 13 In France, municipalities (regions, cities, etc.) commit to a Waste Prevention Plan under the supervision of the Ministry of the Environment and a food program under the supervision of the Ministry of Agriculture. Both plans now include a food waste dimension.