

*This document contains an EU proposal for a Sustainable Food Systems Chapter in the Trade Part of a possible modernised EU-Chile Association Agreement. It has been tabled for discussion with Chile. The actual text in the final agreement will be a result of negotiations between the EU and Chile. The EU reserves the right to make subsequent modifications to this proposal.*

## **CHAPTER ON SUSTAINABLE FOOD SYSTEMS**

### **ARTICLE 1**

#### **Objective**

1. The Parties, recognising the importance of strengthening policies and defining programmes that contribute to the development of sustainable, inclusive, healthy and resilient food systems, agree to establish close cooperation to jointly engage in the transition towards sustainable food systems.
2. This Chapter will be applied in addition to and without prejudice of the provisions of other Chapters of this Agreement related to food systems or to the sustainability. In particular: Chapter AA on Sanitary and Phytosanitary Measures (SPS), Technical Barriers to Trade (TBT) and Chapter BB on Trade and Sustainable Development (TSD).

### **ARTICLE 2**

#### **Scope**

1. This Chapter shall apply to the cooperation between the Parties to improve the sustainability of their respective food systems.
2. This Chapter includes provisions for cooperation on specific aspects of sustainable food systems, such as the fight against food fraud and food loss and waste, to improve animal welfare standards, to reduce the use of chemical pesticides and fertilisers, and to reduce the use of antimicrobials.

### **ARTICLE 3**

#### **Definition**

A sustainable food system (SFS) is a food system that delivers food security, safety and nutrition for all in such a way that the economic, social and environmental bases to generate food security and nutrition for future generations are not compromised. This means that: It is profitable throughout (economic sustainability); it has broad-based benefits for society (social sustainability); and it has a positive or neutral impact on the natural environment (environmental sustainability), including on climate change.<sup>1</sup>

Essential characteristics of sustainable food systems are:

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<sup>1</sup> FAO (2018) Sustainable food systems: concept and framework. [www.fao.org/3/ca2079en/CA2079EN.pdf](http://www.fao.org/3/ca2079en/CA2079EN.pdf)

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- a) The sustainability of food production
- b) The sustainability of food processing and marketing
- c) The sustainability of food consumption including healthy diets
- d) The reduction of food loss and waste

#### **ARTICLE 4**

##### **Sustainability of food production, processing, marketing and consumption, and reduction in food loss and waste**

1. The Parties agree to cooperate in reducing the adverse environmental and climate effects of some existing food systems and strengthening the food system's resilience.
2. To achieve the objectives established in Article 1, the Parties will inter alia cooperate to:
  - a. Ensure sustainable food production, in particular with a view to reduce the use of antimicrobials, chemical pesticides and fertilizers, improve animal welfare and promoting sustainable food production methods and practices, such as organic farming,
  - b. Reduce the environmental and climate impact of food production, thereby supporting a transition towards more sustainable food production contributing to decrease the greenhouse gas emissions of food systems, increase carbon sinks and reverse biodiversity loss,
  - c. Develop contingency plans to ensure the security of the food supply in times of crisis,
  - d. Promote sustainable food processing, transport, wholesale, retail and food services,
  - e. Promote the uptake of healthy and sustainable diets, reducing the carbon footprint of consumption, and
  - f. Reduce food loss and waste in line with the SDG target 12.3.
3. The Parties undertake to exchange information, expertise and experiences in the above fields, including through research and innovation cooperation.

#### **ARTICLE 5**

##### **Fight against fraud along the agri-food chain fraud**

1. The Parties agree that fraud may affect the safety of the agri-food chain, jeopardises the sustainability of food systems and undermines fair commercial practice, consumer confidence and resilience of food markets.
2. The Parties agree to cooperate in the fight against agri-food fraud.
3. The Parties undertake to exchange information and to provide the assistance necessary to gather evidence of practices that are or appear to be non-

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compliant with their rules and/or that pose a risk to health of humans, animals or plants or the environment or mislead customers.

## **ARTICLE 6**

### **Animal Welfare**

1. The Parties recognise that animals are sentient beings and that the use of animals in food production systems comes with a responsibility for their wellbeing. They undertake to respect trade conditions for farmed animals and animal products that are aimed to protect animal welfare.
2. The Parties aim at reaching a common understanding on the international animal welfare standards of the World Organisation for Animal Health (OIE).
3. They will cooperate on the development and implementation of animal welfare standards on the farm, during transport, at slaughter and killing of animals, based on the Parties legislation. Other areas of work may be addressed by the Subcommittee established in Article 9.
4. The Parties undertake to exchange information, expertise and experiences in the field of animal welfare.
5. The Parties will strengthen their research collaboration in the area of animal welfare to further develop science-based animal welfare standards.
6. In accordance with Article XX (Chapter SPS – Article on Cooperation in international fora) the Parties undertake to cooperate in international fora, including the OIE with the aim to promote the further development of animal welfare standards and best practices and their implementation.
7. The Parties may establish a Technical Working Group to support the implementation of this Article under the Subcommittee established in Article 9.

## **ARTICLE 7**

### **Fighting antimicrobial resistance**

1. The Parties recognise that antimicrobial resistance is a serious threat to human and animal health and that the use of antimicrobial substances in animals contributes to the overall development of antimicrobial resistance, which represents a major risk to public health. The Parties recognise that the nature of the threat is transnational.
2. The Parties agree to phase out the use of antibiotics as growth promoters.
3. The Parties shall, in accordance with One Health principles:
  1. Follow existing and future guidelines, standards, recommendations and actions developed in relevant international organisations and develop initiatives and national plans aiming to promote the prudent and responsible use of antimicrobials in animal production and in veterinary practice.

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2. Promote prudent and reduced use of antimicrobials in animal production and phaseout the use of antimicrobials as growth promoters in animal production, and
3. Support the development of and implement the agreed international action plans on the fight against antimicrobial resistance.
4. The Parties agree to establish a Technical Working Group to support the implementation of this Article under the Subcommittee established in Article 9.

### **ARTICLE 8**

#### **Action Plan**

1. In pursuing the objectives of this Chapter and to monitor the results obtained from its implementation, the Parties agree to establish an annual working plan and actions.
2. In order to monitor the progress achieved by the Parties in establishing sustainable food systems the working plan will establish objectives and milestones for each of the actions included in it.
3. The Subcommittee established in Article 9 will approve, at its yearly meeting the action plan for the following year and will assess the results of the implementation of the action plan for the current and previous year.

### **ARTICLE 9**

#### **The Subcommittee**

1. The Parties hereby establish a Subcommittee on Sustainable Food Systems, under the SPS Subcommittee established in Article XX, hereinafter referred to as the Subcommittee.
2. The Subcommittee shall be composed of representatives of the European Union and Chile with responsibility on matters covered by this Chapter and shall meet at expert level.
3. The Subcommittee shall monitor the implementation of this Chapter and consider any matter relating to it, and examine all matters, which may arise in relation to its implementation.
4. The Subcommittee shall monitor in particular the establishment and implementation of the action plans agreed by the Parties according to the provisions of this Chapter. The Subcommittee will review the plans, notably in the light of progress achieved, and will inform the Trade Committee established in Article XX.
5. When appropriate, the Parties agree to establish technical working groups consisting of expert-level representatives of the Parties, which shall identify and address technical and scientific issues arising from the application of this Chapter. When additional expertise is required, the Parties may establish ad hoc groups,

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including scientific groups. Membership of such ad hoc groups need not be restricted to representatives of the Parties.

6. The Subcommittee will inform the Trade Committee established in Article XX about the work of this Subcommittee and will ask for its mediation in case of disagreement of the Parties.

## **ARTICLE 10**

### **Cooperation in multilateral fora**

1. The Parties undertake to cooperate in multilateral fora to foster the global transition towards sustainable food systems that contribute to the achievement of internationally agreed environmental, nature and climate protection objectives.
2. The Subcommittee established in Article 11 shall be the forum to exchange information and cooperate in the field of matters covered by paragraph 1.

## **ARTICLE 11**

### **Additional provisions**

1. The Parties shall ensure that the activities of the Subcommittee referred to in Article 9 do not endanger the independence of their respective national or regional agencies. The Subcommittee shall establish rules mitigating potential conflicts of interest for the participants of its meetings and those of any technical working group reporting to it.
2. Nothing in this Chapter shall affect the rights and obligations of each Party to protect confidential information, in accordance with each Party's relevant legislation. Each Party shall ensure that procedures are in place to prevent the disclosure of confidential information that is acquired during the process established in this Chapter.
3. Fully respecting the Parties' right to regulate, nothing in this Chapter shall be construed to oblige a Party to:
  - a) modify its import requirements;
  - b) deviate from domestic procedures for preparing and adopting regulatory measures;
  - c) take action that would undermine or impede the timely adoption of regulatory measures to achieve its public policy objectives; or
  - d) adopt any particular regulatory outcome.