



## Good practice in vertical relations in the food supply chain “The Supply Chain Initiative”

### Check list and guidelines for a dialogue at national level

In November 2011, AIM, CEJA, CELCAA, CLITRAVI, Copa Cogeca, ERRT, EuroCommerce, Euro Coop, FoodDrinkEurope, UEAPME and UGAL adopted **Principles** of Good practice in vertical relations in the food supply chain.

To ensure the **implementation** of enforcement of these principles a **Framework** was adopted.

In September 2013 the operational phase was officially launched and is now referred to as “The Supply Chain Initiative”. It is operational since October 2013.

**The “Supply Chain Initiative” is intended to offer a complement to EU and national rules and regulations and other voluntary schemes.**

**It also encourages the establishment of multi-stakeholder dialogues at national level.**

Indeed, across Europe, different national regimes are applicable to B2B relations in the food supply chain: depending on the local specificities, such national schemes include or not a form of multi-stakeholder dialogue and when they do their role and functioning may vary greatly. However, in order to leave room for adaptation to national specificities, the Initiative is not prescriptive as to how these dialogues should be set up, their composition, mandate or activities.

The present checklist and guidelines are here to provide **voluntary guidance** to national sector organisations representing links in the food supply chain **wishing to either adapt existing dialogues or to set up a dialogue platform.**

## Check List

- Get familiar with the Principles of Good practice and the Framework for implementation and enforcement.
- Identify in your country what is already in place, including any local regulatory or voluntary framework, and what is missing.
- Set up a structure for dialogue or adapt the existing one (See Guidelines section)

### **Once a platform for dialogue is set up:**

- Where a national scheme is already in place, request the EU Governance Group to assess its interaction with the EU level Supply Chain Initiative with a view to obtaining mutual recognition and avoiding administrative duplication
- Develop the following activities:
  - Promote the Initiative
  - Discuss fair and unfair practices
  - Raise awareness about possible existing national mediation or arbitration schemes
  - Analyse aggregated disputes
  - Contribute to the EU level annual survey

## *Guidelines on how to set up a Platform for dialogue*

The Supply Chain Initiative aims at working together towards a common understanding of fairness in B2B relations as well as better practices, throughout the EU. It encourages national dialogue platforms to develop activities supporting and complementing the dialogue at European level in strict compliance with competition rules.

### 1. Gap analysis and conformity assessment

The very first step is for stakeholders to **identify what is already in place, including any national regulatory or voluntary framework, and what is missing.**

- **Where no dialogue is in place**, any national stakeholder association may take the initiative to contact representatives of the other actors along the food supply chain and ask for their interest and availability to set up such a dialogue. If needed, a list of key contacts within national sector organisations is available from the EU level governance group as well as an overview of national situations.
- **Where a dialogue already exists**, a gap analysis can be conducted and steps to closing the gap undertaken, in consultation with the EU Governance Group. An existing dialogue can seek **conformity assessment** by the EU level governance group to avoid duplication of requirements by a national scheme and the European Supply Chain Initiative. This can be achieved using the tools developed to that effect (available on the web site).

### 2. Voluntary guidelines to establish a dialogue platform

The text below proposes a few indicative guidelines that national sector organisations may wish to use as they see fit depending on national circumstances when considering setting up a national dialogue platform.

#### i. Composition

National dialogue platforms are composed of **national association representatives** reflecting the various interest groups in the food supply chain.

As an example, see composition of the EU level governance group on the web site (insert link to web site).

#### ii. Rules of procedure

Associations involved in a national dialogue platform may see the need to agree on how to operate. See the EU rules of procedures (available on the web site).

#### iii. Awareness raising activities, including training

The national platform, alongside national sector organizations representing the various sectors in the food supply chain, has a key role to play **to encourage companies at national level to sign up to the initiative.**

To do so, the national platform may:

- organise awareness-raising events, like workshops and conferences
- promote the “Seven good reasons to sign” (available on the website)
- use the webinar (available on the website)
- support companies signing up to the supply chain initiative by promoting tools such as the self-assessment or e-learning tools (available in: English (September), French and German (October) and in Italian, Polish and Spanish (December)).

#### iv. Establish a dialogue between the stakeholder organisations

The national platform could follow and discuss EU level developments in light of their current national context.

At any time a national platform may seek guidance and interpretation on the principles from the EU level governance group. Likewise, when examining any potential need for guidance or interpretation of the Principles and examples, a national platform would be required to communicate those to the EU level governance group within 10 working days. In this case, the Governance Group will confirm within a maximum four weeks period that this does not contradict any guidance established at EU level. If a contradiction appears, the EU level Governance Group will use its best endeavours to ensure a coherent interpretation in consultation with the national platform concerned (cf. rules of procedures).

#### v. Raise awareness on national mediation and arbitration schemes

The national platform can relay information about existing national alternative dispute resolution mechanisms as a means to deal with individual disputes.

#### vi. Analyse aggregated disputes

The Supply Chain Initiative introduces the possibility for a national member organisation of a dialogue platform to submit a complaint on behalf of several companies affected by a similar issue with a view to obtaining guidance and interpretation.

In particular, the EU level governance group will only appreciate issues that have an EU cross border dimension or issues with a national scope as long as there is no equivalent option to deal with them in an aggregated and anonymous way. The procedure guarantees at all times the anonymity of the parties concerned as well as the confidentiality of any sensitive information.

#### vii. Contribute to and disseminate the annual survey

As part of its annual survey process, the EU level governance group will collect country level information. It will share those data with the national platforms, who will have the opportunity to provide comments as they see fit.