Review of Unfair Trading Practices (UTP) Directive

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Revision of Unfair Trading Practices Directive

Business-to-business unfair trading practices in the food supply chain – revision of EU rules

Update

The Unfair Trading Practices (UTP) Directive aims to achieve a more efficient and fairer food supply chain by protecting agri-food suppliers who sell directly to buyers in the European Union (EU) against UTPs. Non-EU agri-food suppliers are also protected by these rules, which have applied since 2022.

The European Commission collected feedback to inform a revision of the UTP Directive via its Have Your Say webpage until 27 February 2026. This input will be taken into account by the Commission when revising the Directive.

What is changing?

The UTP Directive aims to protect agri-food suppliers who sell directly to EU buyers (not via an intermediary) against UTPs. Non-EU agri-food suppliers are also protected by these rules.

Why?

The UTP Directive has applied since 2022, and a revision is planned. An overall evaluation was conducted to assess if it provides effective protection to agri-food suppliers (European Commission 2025). The main findings show:

- a low level of awareness about the UTP Directive among non-EU stakeholders
- challenges for EU stakeholders in submitting complaints
- concerns about confidentiality and fear of retaliation
- concerns regarding potential emerging UTPs – particularly practices that could circumvent the Directive and shift disproportionate risks or costs onto suppliers, including more complex arrangements linked to buyers' sustainability-related commitments (e.g. transferring buyers' corporate social responsibility commitments to suppliers).

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Timeline

The adoption of the revised UTP Directive is scheduled for the fourth quarter of 2026.

Background

The stark imbalances between small and large operators in the agricultural and food supply chain can lead to UTPs in business-to-business (B2B) relationships, where farmers and small operators do not have sufficient bargaining power to defend themselves. The UTP Directive (2019/633) is part of the EU's commitment to achieve a more efficient and fairer food supply chain.

It bans 16 trading practices that are classified as **black** and **grey**.

Black trading practices are never allowed. They currently include:

- payment later than 30 days for perishable agricultural and food products
- payment later than 60 days for other agri-food products
- short-notice cancellations of perishable agri-food products
- unilateral contract changes by the buyer
- payments not related to a specific transaction
- risk of loss and deterioration transferred to the supplier
- refusal of a written confirmation of a supply agreement by the buyer, despite request from the supplier
- misuse of trade secrets by the buyer
- commercial retaliation by the buyer
- transferring the costs of examining customer complaints to the supplier.

Grey trading practices are only allowed if the supplier and the buyer agree on them beforehand. They include:

- return of unsold products
- payment by the supplier for stocking, display, and listing; promotion; marketing; advertising; staff of the buyer, fitting out premises.

The European Commission carried out five annual surveys on UTPs experienced by food chain operators between 2020 and 2024 (see Unfair trading practices in the food supply chain).

An assessment of measures taken by EU Member States when applying the UTP Directive is now published as an evaluation report (European Commission 2025).

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Resources

Directive 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain

European Commission (2025) Evaluation of the Unfair Trading Practices Directive

European Commission: Unfair trading practices in the food chain

Sources

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