

Unfair trading practices in the food supply chain

Published by AGRINFO on 05 Mar 2023; Revised 18 Sep 2024

Regulation

[Report from the Commission](#): Implementing the prohibition of unfair trading practices to strengthen the position of farmers and operators in the agricultural and food supply chain – State of play

[Questionnaire](#) to suppliers in the agricultural and food supply chain on unfair trading practices (UTPs)

What is changing and why?

The European Commission has now launched its 2024 [survey](#) collecting the experiences of operators in the food chain regarding UTPs.

A Commission [report](#) evaluating the EU Unfair Trading Practices (UTP) Directive, published in April 2024, found that:

- a large majority of EU Member States have set a level of protection against UTPs that is higher than the minimum required by the Directive
- in 2023, around 1500 investigations were opened
- 269 infringements were detected (about 27% of the closed investigations), leading to financial sanctions totalling over €22 million
- the most frequently detected UTP was late payments
- 41% of the detected UTPs occurred at retail level, 36% during processing, and 22% at the wholesale level.

The Commission's fourth [survey](#) (2023) found that:

- 75% of respondents to the survey have experienced at least one UTP, with 11% experiencing more than five UTPs
- UTPs were most often experienced in the context of sales to wholesalers (40%), followed by retailers (38%), and commodity traders (26%)
- the UTP most frequently experienced was late payments; others were the buyer's refusal to provide written confirmation of a supply agreement; passing on costs to suppliers related to deterioration of food at the buyer's premises; and suppliers being required to bear the costs of discounts on promoted products

- 35% of respondents have never raised UTPs with buyers, and 66% have never addressed these issues with public enforcement authorities
- 27% of respondents do not raise UTP issues because they fear retaliation by the buyer, and 21% because they are unaware that public bodies can handle the issues.

Actions

If food suppliers in non-EU countries have experienced any of the UTPs listed in Directive [2019/633](#), they are encouraged to gather and submit information to the annual UTP surveys, for example through representative trade bodies.

Timeline

The fifth survey will be open until **17 December 2024**. The European Commission will carry out a more detailed evaluation of the UTP Directive in 2025 to assess its effectiveness, and possibly refine its scope and enforcement mechanisms.

For more information see the [full record](#) on the AGRINFO website – where you can also view the latest [AGRINFO Update](#) newsletters and [search](#) the database.

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