

6 e-Mensa
 Workshop for business stakeholders "The benefits of e-platforms for the agrofood business"

Point of view of food legislation on e-platforms for food

Alessia Verdesi
 Federalimentare 1

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The Food and Drink Industry is the first sector in Europe and the first or second in Member States

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The EU Food & Drink Industry - dominated by SMEs

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|-----------------------------------|-----------------------------|
| 282.000 COMPANIES (> 9 EMPLOYEES) | 62,8% OF THE TOTAL TURNOVER |
| 36.000 COMPANIES (> 19 EMPLOYEES) | |
| 7.000 COMPANIES (> 49 EMPLOYEES) | |
| 120 COMPANIES (> 499 EMPLOYEES) | 37,2% OF THE TOTAL TURNOVER |
| 39 COMPANIES (> 999 EMPLOYEES) | |
| 20,1% OF THE TOTAL TURNOVER | |

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The European Food & Drink Industry – total turnover by product and R&D

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|--|-------|
| Traditional and local food: 534 billions € | 65,2% |
| Advanced traditional food: 131 billions € | 16,6% |
| New products (novel, functional, healthy, ready to eat, etc.): 88 billions € | 11,1% |
| Typical products (PDO, PGI with wine): 50 billions € | 6,2% |
| Organic food: 7 billions € | 0,9% |
| Total: 810 billions € of which: | |
| 2,3% R&D activities (quality, safety, controls) | |
| 4,1% amortization of R&D investments and technologies | |

Source: Centro Studi Federalimentare 4

The European Food & Drink Industry - employment

TOTAL DIRECT EMPLOYMENT OF THE EUROPEAN F&D INDUSTRY: 4,1 MILLION PEOPLE IN 25 EUROPE (% COMPOSITION)

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|--|
| Production; 43,2 |
| Safety and quality controls and management; 21,6 |
| Trade and sales; 19,3 |
| Logistic and stock; 9,1 |
| Administration and finance; 6,8 |

Source: Centro Studi Federalimentare 5

COMPETITION AND NEW TECHNOLOGIES

- Benefits by the adoption of an e-platform:
- Increase effectiveness and efficiency of Supply Chain;
- Make simple and more efficient Supply Chain operations;
- Facilitate the exchange of information among enterprises;
- Reduce time.

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COMPETITION RULES

- Antitrust law: harmonization with EU competition law – Article 81-82 of ECT.
- E.U. Antitrust – two prohibition rules: agreements which restrict competition are forbidden (Article 81 Treaty); firms in a dominant position may not abuse of that position (Article 82 Treaty).
- Purpose: to protect competition on the market; to increase consumers welfare.

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PRIVACY IN EUROPE

- Directive 95/46/EC: Directive's purpose: to ensure a high level of protection for the privacy of individuals; to facilitate the free flow of information society services in the Single Market.
- Directive 2002/58/EU: processing of personal data and protection of privacy in electronic communications sector.

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EXAMPLE: ITALIAN LEGISLATIVE DECREE NO. 196/2003

- Italian new Personal Data Protection Code came into force on January 2004.
- The Code brings together all the various laws, codes and regulations relating to data protection since 1996, taking into account the Directive 95/46/EC and the Directive 2002/58/EU.
- Italian new Personal Data Protection Code introduces innovations into all processing data.

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SUPPLIERS, USERS, CONSUMERS: TOWARD A NEW RELATIONSHIP

- A new relationship is taking shape between the main economic actors – technology producers (suppliers), consumers, users.
- Enterprises need to promote and spread new technologies.
- The right to privacy and confidentiality is fundamental not only for business users but also for consumers; avoiding restrictions or obstacles to the technology innovation.

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HOW TO PROTECT CONSUMERS AND BUSINESSES USERS

- The protection of consumers and business users takes on fundamental importance .
- The individual rules are aimed not only to protect such companies as operate on the market, but also to provide safeguards for consumers.
- Specific community policy for verifying that consumer interests are respected, as well as for increasing market transparency, improving the security of product and consumer services in the single market, enhancing consumer trust and setting up a dialogue between the Commission and consumer representatives.
- But any Parliament should take precautions in order to cope with technological developments of the future.

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CONCLUSIONS

- Any country has a specific privacy regulation;
- We have to consider and remark that the adoption of a harmonized legislative framework could be an important solution for all Member States.
- The competition rules have to be integrated with privacy and confidentiality needs of consumers and business users.

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