



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

Status of transposition into national law
UTP Survey

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UTP Directive – Reminder of the next steps

- **1 May 2021** Transposition into national law, including designation of enforcement authorities and information to COM
- 1 Nov. 2021 Application under national law
- 1 Nov. 2021 COM will have to present interim report on state of transposition to Council, European Parliament, European Economic and Social Committee, Committee of the Regions
- 15 March 2022 First Member States' annual report to COM
- **2025** Evaluation by the Commission on the effectiveness of measures implemented at national level and of cooperation mechanism

UTP Directive – Transposition process

- COM accompanies transposition process closely
- Guidance in regular interpretation meetings and responses to interpretation requests by Member States
- Most questions relate to
 - The application of the Directive in terms of operators (to a lesser extent in terms of products)
 - Cooperatives and the UTP Directive
 - Calculation of turnover and reference to relevant parts of SME recommendation
 - Payment periods according to Article 3 – perishable (30 days) and non perishable products (60 days)
 - Possibility to maintain or adopt stricter measures or measures outside the scope of the Directive
 - Applicable law and enforcement against non-EU buyers.

UTP Directive – Transposition challenges

- Which enforcement authority to choose
- To transpose in time
- To transpose correctly, in particular when existing national law should be amended
- National stakeholder consultation process

UTP Directive – The baseline survey

- In view of the evaluation in 2025, a baseline survey has been launched in September, prolonged until 15 February 2021
 - Link: https://ec.europa.eu/eusurvey/runner/UTPs_Baseline_Survey
- The survey will be repeated **annually** across all Member States and targets suppliers covered by the Directive at the different stages of the agricultural and FSC.
- Anonymised results will be published at the JRC portal:
https://datam.jrc.ec.europa.eu/datam/mashup/FOODCHAIN_UTP/index.htm

Thank you