



Sustainable Livestock Bill

Bill 5 of 2010-11

Public Bodies (Sustainable Food) Bill

Bill 12 of 2010-11

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This briefing on the *Sustainable Livestock Bill* and the *Public Bodies (Sustainable Food) Bill* has been prepared for the Second Reading Debates on the Bills in the House of Commons on 12 November 2010. The Bills are Private Member Bills introduced by Robert Flello MP and Joan Walley MP respectively.

The *Sustainable Livestock Bill* aims to reduce the environmental impacts of livestock production in the UK. It also aims to amend the way agricultural subsidies are used to make them more environmentally friendly. It includes a duty to give consideration to supporting sustainable practices and consumption through public procurement of livestock produce

The *Public Bodies (Sustainable Food) Bill* would go further on public procurement and create a duty on the Secretary of State to prepare a Code for Sustainable Food to promote the procurement of healthy and sustainable food by public bodies. This could be made compulsory if uptake was not extensive enough.

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Summary

The *Sustainable Livestock Bill* aims to reduce the environmental impacts of livestock production in the UK. It also aims to amend the way agricultural subsidies are used to make them more environmentally friendly. It also includes a duty to give consideration to supporting sustainable practices and consumption through public procurement of livestock produce.

The intended aim of this Bill, based on the Friends of the Earth campaign Fix the Food Chain, is to reduce rainforest deforestation by reducing the use of soya meal in animal feed in the UK. It would do this by placing a duty on the Secretary of State to ensure the sustainability of livestock, and give consideration to issues such as public procurement and agricultural subsidy reform.

The *Public Bodies (Sustainable Food) Bill*, the result of a campaign by Sustain, would go further on public procurement and create a duty on the Secretary of State to prepare a Code for Sustainable Food to promote the procurement of healthy and sustainable food by public bodies. This could be made compulsory if uptake was not extensive enough.

The previous Government piloted a voluntary code, Healthier Food Mark, which has now been suspended. The Conservative Party campaigned on developing a Code for Sustainable Food that would apply to the whole of the public sector. The Current Government is committed to the development of buying standards for food. Initially, this would be for Departments only rather than the whole of the public sector.

1 Sustainable Livestock

1.1 Sustainable Livestock Bill

The *Sustainable Livestock Bill*¹ is a Private Member's Bill introduced by Robert Ffello MP and will have its Second Reading on 12 November 2010. The Bill is based on an earlier Bill presented by Peter Ainsworth on 23 March 2010, *Sustainability of Livestock Farming and Food Production (Strategy) Bill*, which did not make it to Second Reading.

The Bill (and its predecessor) is part of Friends of the Earth's Fix the Food Chain Campaign. The primary focus of this campaign is the negative environmental impacts of soya production for cattle feed. Friends of the Earth (FoE) produced a report *Who's Feeding Our Food* in December 2008 which set out the following findings:

- The factory farms we rely on for our meat and dairy in the UK are driving climate change, wildlife loss and loss of livelihoods among people in developing countries.
- Industrial soy farming for cheap protein to fuel UK factory farms is one of the main drivers of deforestation in Latin America.
- In the UK, neither farmers nor consumers are benefitting from this model of farming.
- It identifies the need for fundamental changes to the funding, feeding and procurement of livestock in the UK and Europe

The (FoE) briefing on the Bill expands on the issues it is intended to address:

There is a hidden link that connects the meat and dairy we eat to rainforest destruction and climate change. Factory farming methods in Europe rely heavily on high-protein animal feeds. This has created a global food chain with UK poultry, pigs and cattle depending on feed crops from the other side of the world. Soy, grown and imported from South America, has become the main source of protein in animal feed. It has led to the conversion of huge swathes of land, causing deforestation, greenhouse gas emissions and the loss of valuable wildlife habitat. The UN has estimated that the livestock sector globally is responsible for 18% of greenhouse gas emissions.

While the Government has shied away from intervening and tackling this meaty issue, its policies already have a massive impact – in fact, they are making the situation worse. Billions of pounds of UK taxpayers' money are spent on subsidies that support factory farms, or on buying factory-farmed food for our schools and hospitals.²

The briefing goes on to list the following proposals it would like to see included in a Bill:

- The use of financial levers like subsidies, grants, taxes and tax breaks - many of which currently prop up the wrong sort of farming but which could be used to support sustainable farming systems and home grown feeds.
- Food purchased for schools and hospitals - using the £2.2 billion food procurement budget to specify the best food and drive up standards.
- The use of public information campaigns to encourage or discourage consumer behaviour;
- Positions taken in the European Union and other international fora on policies which affect the production and consumption of livestock products and feeds;

¹ The Bill and the associated explanatory notes are at the [Sustainable Livestock Bill](#) page on the UK Parliament website.

² Friends of the Earth Briefing Note, [Why do we need a new Sustainable Livestock Bill?](#) July 2010

- Public support for research and development in agriculture which supports extensive farming and home grown feeds.

The Bill would introduce measures in these areas and sets out the following duties for the Secretary of State:

- (1) It is the duty of the Secretary of State to ensure the sustainability of the livestock industry.
- (2) The Secretary of State must, in determining how to carry out the duty in section 1(1), give consideration to—
 - (a) supporting sustainable practices and consumption through public procurement of livestock produce,
 - (b) providing appropriate public information and food labelling,
 - (c) supporting research into sustainable livestock practices,
 - (d) reducing the amount of, and finding sustainable methods for use or disposal of, food waste,
 - (e) changing the subsidies available to and support for farmers to promote sustainable livestock practices, and
 - (f) the effectiveness of existing programmes aimed at improving the sustainability of the livestock industry, and action that could be taken to increase their effectiveness.
- (3) The Secretary of State must ensure that policies in relation to negotiations and other activities at international level, including at the European Union, are consistent with sections 1(1) and 1(2).
- (4) The Secretary of State has a duty to ensure that the steps taken in accordance with this Act do not lead to an increase in the proportion of meat consumed in the United Kingdom which is imported.

The Bill also includes a duty to consult widely and to report progress every two years.

1.2 Environmental Impacts

There were approximately 10 million heads of cattle, 32 million sheep, 4.7 million pigs and 159 million poultry in the UK in 2009. Livestock numbers have fallen over the ten year period between 1999 and 2009; there are now fewer livestock of all types with the exception of table fowl and fowls for breeding. The total value of output of livestock in real terms has fallen between 1973 and 2009. The lowest point over the period was reached in 2006, a rise has been seen in each subsequent year. In 2009 total livestock output was £10.8 million.³

Greenhouse Gas Emission

Trends in greenhouse gas emissions from agricultural sources show that in 2008 agriculture was the source of an estimated 48.4 million tonnes of carbon dioxide equivalent emissions of greenhouse gases or 8% of total UK greenhouse gas emissions. However, greenhouse gas emissions from agriculture have fallen by 21% between 1990 and 2008. Over the same period emissions from livestock, from ruminant gut fermentation and wastes, have fallen by 16% and 21% respectively.⁴

³ Defra, Agriculture in the UK 2009

⁴ DECC, Greenhouse Gas Emissions Tables 1990-2008, Table 3

Soya Meal Use in the UK

The cost of animal feed is the largest item of expenditure recorded in agricultural production. In 2009, 21.4 million tonnes of animal feed was purchased in the UK, the total cost of all purchased animal feed was £3.5 billion. Total feed purchased between 1973 and 2009 has not fluctuated greatly over the period although total value has.^{5 6}

Figures on raw materials used in retail production of animal feed in Great Britain between September 2009 and August 2010 show 9.9 million tonnes of raw materials were used in the production of animal feed of which 1.1 million tonnes (11%) was soya cake and meal.⁷

Imports of oil cake and other solid residues resulting from the extraction of soya were 1.9 million tonnes in 2009. The majority was imported from non-EU countries, 54% was imported from Argentina and, 27% was imported from Brazil. The main source within the EU was the Netherlands (13% of the total).⁸

However, EBLEX the organisation for beef and lamb levy payers in England, states that beef and lamb production does not consume significant amounts of imported soya meal:

UK beef and lamb production is not driving demand for imported soya and, therefore, not significantly contributing to deforestation in some parts of the world. The level of soya meal use in sheep and beef diets is very small. The use for sheep and beef respectively is two and four per cent of soya meal imports.⁹

The poultry and pig in industry both rely heavily on soya based feed. The impacts of increasing prices on the pig industry were highlighted by the EFRA Committee in 2009:

Feed accounts for almost half the price of producing a pig, and the rising price of feed commodities during 2006-2008 (in particular soya and wheat) caused pig production costs to soar.¹⁰

Impacts from previous changes in the industry were also highlighted by the Committee:

In 1999, the UK introduced a ban on tethers and close-confinement stalls for breeding sows. Pig World magazine estimated that the move from stalls to loose housing with straw cost the industry £323m. BPEX claimed that this added 6.4p per kilo to the ongoing cost of production (although this cost is disputed by animal welfare groups).

However, the need to address the issue of the environmental impacts of soya production has not gone unnoticed in the industry. A September 2010 article in *Pig World*, which was critical of the proposed Bill, and did not expect it to be passed, concluded:

Nevertheless the Bill does highlight an issue that is not going to go away and is therefore potentially damaging to the pig industry, which relies heavily on imported soyameal.¹¹

⁵ Ibid pp 54-55.

⁶ Ibid, Table 6.1

⁷ GB Animal Feed Statistics, 2010

⁸ HMRC, UKtradeinfo, Overseas Trade Statistics

⁹ Eblex, [Beef, sheep and climate change: the facts](#), Eblex website [on 10 November 2010]

¹⁰ EFRA Select Committee, The English Pig Industry, 13 January 2009, HC 96 2008-9

¹¹ Pig World, [Brussels fund 'soya plot'](#), 2 September 2010

1.3 Agricultural Subsidies

The Bill would require the Secretary of State, as part of the duty to ensure the sustainability of the livestock industry, to give consideration to changing the subsidies and support for farmers to promote sustainable livestock practices, and also consider the effectiveness of existing programmes aimed at improving the sustainability of the livestock industry, and how to improve them.

Any significant change to subsidies to farmers to encourage more sustainable management could only be implemented through the Common Agricultural Policy (CAP) as this is the main source of farming subsidies. The CAP is due to be reformed in 2013. Friends of the Earth have estimated the total subsidies and how, in their view, they encourage unsustainable practices:

Friends of the Earth has calculated that an estimated £700 million of English taxpayers' money was spent on propping up factory farming through the CAP in 2008.¹ Small farms are losing out to factory farms - the most damaging link in a chain that connects the food on our plates to forest destruction in South America. UK factory farms also contribute significantly to the UK greenhouse gas emissions and undermine rural livelihood.¹²

¹*This figure is therefore based on the best available information and calculated on the basis of subsidies spent on:*

- *Subsidies for cereal production which are used in animal feed in factory farms*
- *Export subsidies which largely go to companies and processing industries*
- *Untargeted direct payments which are increasing money being received by the intensive pig and poultry sectors*
- *Historical payments that award the biggest payments to the farms that produced intensively in the past*
- *Dairy payments that are based on historical production quotas*
- *Lowland grazing livestock untargeted subsidies that do not support extensive models adequately and therefore continue to support the increasing tendency to intensify or exit the farming sector*

The CAP was reformed in 2003. Individual schemes based on high guaranteed prices for farmers were largely abandoned in favour of paying farmers a Single Farm Payment (SFP) based upon the area of the farm. Individual countries were allowed to adopt different policies to implement the changes. England, Scotland, Wales and Northern Ireland each implemented the policy in a different way.

Environmental concerns were reflected in two ways. There are now compliance conditions for receiving SFP. In addition, it is possible to receive a higher rate of SFP by adopting particular environmental policies. In the UK this comes under the Environmental Stewardship Scheme.

The 2003 reform was based upon an agreement to maintain EU spending on agricultural support until 2013. European Commission proposals on the post-2013 policy are expected late in 2010. A draft version of the proposals was leaked in September 2010. Under Objective 2 (Sustainable management of natural resources) the leaked draft stated the following:

- To guarantee sustainable production practices and secure the provision of environmental public goods as many of the public benefits generated through agriculture are not remunerated through the normal functioning of the markets.

¹² FOE, [The Sustainable Livestock Bill 2010 A short guide](#), June 2010

- To foster green growth through innovation which requires adopting new technologies, developing new products, changing production processes and supporting new patterns of demand.¹³

Further background on CAP can be found in Library Note [SN/SC/3680](#).

1.4 Environmental Stewardship Scheme

The main existing support for farmers in the UK to encourage them to take up sustainable practices is the Environmental Stewardship Scheme, part of the Single Farm Payment. Natural England, which administers the scheme for Defra, summarises the Scheme as follows:

Funding and advice through Environmental Stewardship is helping land managers to conserve, enhance and promote the countryside by:

- looking after wildlife, species and their many habitats;
- ensuring land is well managed and retains its traditional character;
- protecting historic features and natural resources;
- ensuring traditional livestock and crops are conserved; and
- providing opportunities for people to visit and learn about the countryside.

Underlying these benefits, Environmental Stewardship is helping the natural environment to adapt to climate change, for example, by reducing greenhouse gas emissions, providing and protecting carbon storage, and helping to manage flooding.

Environmental Stewardship is a key part of the Government and EU funded Rural Development Programme for England 2007 2013, with £2.9 billion of funding to support sustainable agriculture throughout the countryside.

There are various levels of the Scheme: entry level, organic entry level, higher level and upland entry level. Further details on all of these can be found on the Natural England [website](#).

2 Public Sector Food Procurement

The *Sustainable Livestock Bill* includes a duty to give consideration to supporting sustainable practices and consumption through public procurement of livestock produce. In addition, Joan Walley's *Public Bodies (Sustainable Food) Bill*, which is also scheduled to have its Second Reading on 12 November, goes into more detail on this issue.¹⁴ Sustain, which backs the campaign, has been working on this issue for some time:

Sustain: The alliance for better food and farming advocates food and agriculture policies and practices that enhance the health and welfare of people and animals, improve the working and living environment, enrich society and culture and promote equity. We represent around 100 national public interest organisations working at international, national, regional and local level.¹⁵

¹³ EU Commission, *Leaked Draft Communication: The CAP towards 2020*, September 2010

¹⁴ The Bill and the associated explanatory notes are at the [Public Bodies \(Sustainable Food\) Bill](#) page on the UK Parliament website.

¹⁵ [Sustain Website](#) [on 10 November 2010]

Membership includes organisations as diverse as the National Heart Foundation, Royal Society for Public Health, RSPCA, Unison, Forum for the Future, the National Trust and the Soil Association.¹⁶

2.1 *You fund it, Government buys it and we all pay Report*

In June 2010 Sustain set out their views on why there is a need to reform the current system:

- to improve our health we need to change what is served;
- to support the environment and tackle climate change, we need to change how things are done;
- to meet principles of decency, we need to change the way we produce food so that it is fair for everyone involved in the food chain;
- to build production for a supply-stressed world, we need to invest in rural communities here like everywhere;
- and since food only gets to us through humble human labour, we need to ensure that caterers are part of the process of generating solutions rather just being easy targets for critics, moaning about quality.

The report also presents one key way in which government could make a start – through requiring public sector organisations to buy sustainable food.¹⁷

The report goes on to set out the case for setting legally binding targets for the public sector:

Public sector caterers need clear standards to work to, and the training to offer the best, nutritious food for the people in their care. This can only be achieved by clear, unambiguous and legally binding standards. Legal standards would give caterers confidence that they are buying and preparing the right food for the people they serve, strengthen relationships between public organisations and their suppliers by establishing consistent buying patterns and economies of scale, reassure those eating the food that menus reflect their individual needs, and reduce food waste.¹⁸

2.2 *Public Bodies (Sustainable Food) Bill*

The Bill reflects a number of the issues that Sustain has campaigned on. It would impose a duty on the Secretary of State to prepare a Code for Sustainable Food to promote the procurement of healthy and sustainable food by public bodies. The Code would be voluntary in the first instance, but local authorities would be able to ask for regulations to be made to bring the Code into force in their area following a petition by voters. If the Secretary of State considers there has not been sufficient uptake of the Code, he would have the option of bringing in regulations. This Bill also sets what the objectives of the Code should be:

- (a) reducing diet-related ill health by reducing the consumption of food which is shown by medical evidence to contribute to, or increase the risk of, ill health, and promoting the consumption of food which supports the health and well-being of consumers;
- (b) reducing the greenhouse gas emissions and other pollutants associated with all stages of the food chain, including food production, manufacturing, processing, cooking, consumption and waste management and disposal, and promoting products and processes which result in lower greenhouse gas emissions;

¹⁶ *ibid*

¹⁷ Sustain, [You fund it, Government buys it and we all pay](#), June 2010

¹⁸ *ibid*

- (c) promoting biodiversity by promoting food products and production methods which conserve or enhance biodiversity, and by discouraging food production methods which damage or endanger stocks, species or ecosystems;
- (d) promoting animal welfare by promoting food products and production methods which support high standards of animal welfare;
- (e) promoting fair trading standards by supporting fair terms of trade, good working conditions, and prompt payment for food producers and for suppliers providing goods and services to public bodies;

2.3 Public Sector Food Procurement Initiative (PSFPI)

The previous Government introduced a series of initiatives to improve the sustainability of food production and consumption in the UK as well as on the issues of food and health, in particular obesity. Library Note [SN/SC/3724 Obesity](#) includes details of initiatives to encourage healthier eating and exercising.

As part of this the Public Sector Food Procurement Initiative (PSFPI) was launched in 2003 and further revised in 2007. Defra launched the PSFPI with six priority objectives:

- promote food safety, including high standards of hygiene
- increase the consumption of healthy and nutritious food
- improve the sustainability and efficiency of production, processing and distribution
- increase tenders from small and local producers and their ability to do business
- increase cooperation among buyers, producers and along supply chains
- improve the sustainability and efficiency of public food procurement and catering services

Other important objectives cover consumer behaviour, organic food, animal welfare, fair treatment of suppliers, working conditions for catering staff and catering for ethnic minority, cultural and religious groups.

Further background on the PSFPI, including an FAQ section, can be found on the [Defra Website](#) on the food and farming pages.

2.4 Public Sector Spending on Food

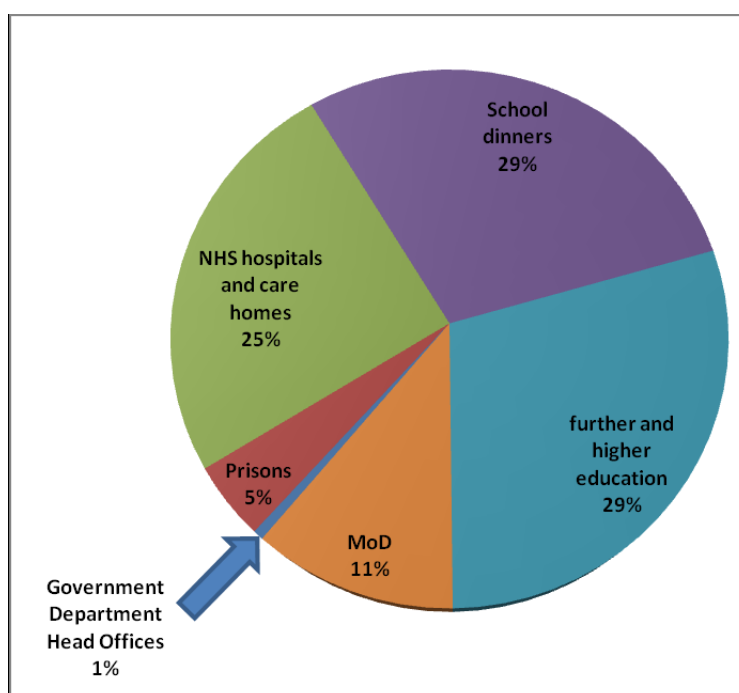
In February 2010 DEFRA set out a summary on how much the public sector spends on food and food services:

It is estimated that the public sector spends over £2bn on food and food services. Approximately half of this is spent on food ingredients, the rest being on catering services, kitchen equipment etc. Information on the original source of raw food ingredients often has to come from several layers down the delivery chain, and a large number of suppliers and contracts is involved, so while every effort has been made to record this information accurately, there is inevitably a margin of error.

The majority of public expenditure on food is undertaken by schools and colleges, prisons, the armed services and the NHS. Department's central offices' which accounts

for staff canteens and hospitality services within the departments concerned, accounts for only about 1% of public sector food procurement (see Fig 1).¹⁹

Figure 1: Public Sector Food Procurement Spend



The report also set out which were the highest spending departments:

9. DCSF, NOMS, NHS and MoD are the four main sectors of public expenditure on food and catering. Schools are the highest with about £1 billion spent on catering overall of which some £350m is estimated to be spent on ingredients. Schools are not covered in this report which includes only DCSF central office catering operations. Higher education and further education are estimated to spend between £350m and £500m on food ingredients per year.²⁰

The report includes extensive details of what proportion of food is procured domestically.

2.5 Policy Framework

Deloitte carried out an evaluation of the PSFPI, publishing a report in March 2009. The report, which contains many examples of successful initiatives in the public sector, concluded the following on the effectiveness of the PSFPI:

It is fair to say that establishing the PSFPI, generating awareness of it and encouraging uptake of some of the principles, has been a noteworthy achievement with the small amount of money and resource available. Importantly, good relationships have been built across the complex patchwork of public sector organisations and although there is some way to go in many areas important foundations have been laid.

The intentions of the initiative are positive and the approach to establishing a comprehensive view of what constitutes sustainability in the context of food has

¹⁹ Defra, [PFSP Third Annual Assessment](#), February 2010

²⁰ *ibid*

contributed to an increased understanding of the issues across the public sector. The focus now should be on:

- tackling the key issues so that procuring food sustainably becomes the norm across all parts of the public sector; and
- moving the majority from awareness of the issues towards proactive engagement and action.²¹

The report also looked at the overall policy framework. At the EU Level:

Food and catering is an important category under Green Public Procurement (GPP), a component of the EU's Sustainable Consumption and Production Action Plan. The concept of GPP is to use the substantial purchasing power of the European public authorities to help shape production and consumption trends, and to create or enlarge markets for environmentally friendly products and services. In practice, GPP is based on a set of common criteria for a range of products and services, divided between 'core' criteria, which focus on key areas of environmental performances of a product and 'comprehensive' criteria, which take into account further aspects or higher levels of environmental performance.²²

It also described the UK policy objectives. Defra had two Strategic Objectives under the previous Government:

- A sustainable, secure and healthy food supply.
- A thriving farming and food sector with an improving net environmental impact.

There were also two targets under Public Service Agreements (these have now been abolished)

- increasing the number of children who have school lunches [...] reducing the rate of increase in obesity among children under 11;
- To continue to increase life expectancy by tackling the biggest killer diseases, with an emphasis on ill health prevention.

With regards to the policy environment the report highlighted the fact that:

it is widely regarded that despite the strength of the many of the strategies, UK food policy today is "somewhat less than the sum of its parts". The relationship between different elements is not always clearly spelled out and the relative importance of objectives in different areas of policy is not always clear.²³

Sustain was also critical of the cost effectiveness of the approach so far:

Undoubtedly, there have been efforts by the government to increase the amount of local and sustainable food bought by the public sector in the last ten years. But such efforts have been largely ineffective. Indeed, consultancy firm Deloitte was appointed by the Department of Environment, Food and Rural Affairs (Defra) in 2009 to evaluate the Public Sector Food Procurement Initiative, which ran for six years between 2003 and 2009, with the objective of boosting the amount of local and sustainable food

²¹ Ibid

²² ibid

²³ Deloitte, [Public Sector Food Procurement Initiative: An Evaluation](#), March 2009

purchased by the public sector. Although the report found some modest successes it concluded that real progress had not been achieved because “take-up was limited”. More recently, the policy group Sustain found that over £54 million was spent by government over the last decade on a series of voluntary initiatives to improve the healthiness and sustainability of public food in the hospital sector. Unfortunately, little was actually achieved.²⁴

2.6 Healthier Food Mark

Food Matters Towards a Strategy for the 21st Century, was published by the Cabinet Scrutiny Unit in July 2008. This highlighted a series of future challenges relating to food including health and the environment.

The food and drink supply chain is a major part of the UK economy, accounting for 7% of GDP and employing 3.7 million people in everything from food retailing to restaurants and canteens to farming and fishing. Food manufacturing is the UK’s single largest manufacturing sector.

The food system faces a series of future challenges in relation to:

- economics and equity – recent increases in global commodity prices have brought to an end the long-term decline in the price of food, and few expect food prices to return to past lows;
- health – an estimated 70,000 premature deaths in the UK could be avoided each year if UK diets matched nutritional guidelines;
- safety – the food that we eat in the UK is safer than it has ever been but continuing vigilance is needed to minimise food contamination; and
- environment – the food chain has huge environmental impacts (around 18% of UK greenhouse gas (GHG) emissions are related to food production and consumption).²⁵

The report included two relevant key actions, including the use of the Healthier Food Mark

- Making it easier for consumers to make healthy choices when eating out.
- The public sector in England should be leading by example. More nutritious, environmentally sustainable food will be delivered through a new ‘Healthier Food Mark’ linked to standards for food served in the public sector. The standards will help in delivering better food with existing resources.²⁶

The Healthier Food Mark was an initiative put in place by the previous Government to encourage public sector food to be healthier and more sustainable. It was carried out in pilot form but has now been suspended. The aim was to have a voluntary code that would be awarded to combine both nutrition and sustainability criteria in one self-certification scheme:

To make sure that public sector food is both healthier and provided as sustainably as possible, the Government is introducing a scheme to encourage and recognise best practice among public sector organisations buying and serving food. The working title for the scheme during its development is the ‘Healthier Food Mark’.

The Healthier Food Mark will operate in England. The Scottish Government and Consumer Focus Scotland will continue to roll out their Healthy Living Award north of the border. Scotland Wales and Northern Ireland colleagues are engaged on any

²⁴ Sustain, [You fund it, Government buys it and we all pay](#), June 2010

²⁵ [Food Matters Towards a Strategy for the 21st Century](#), The Strategy Unit, July 2008

²⁶ *ibid*

opportunities and impacts provided by the Healthier Food Mark. In Wales, they will continue to roll out the Healthy Options Award as the approach to promoting healthier choices in catering businesses.²⁷

Food 2030

The previous Government's published its food strategy in January 2010. The strategy set out the aims for 2030. Food would be produced, processed, and distributed to feed a growing global population in ways which:

- use global natural resources sustainably,
- enable the continuing provision of the benefits and services given by a healthy natural environment,
- promote high standards of animal health and welfare,
- protect food safety,
- make a significant contribution to rural communities, and
- allow the UK to show global leadership on food sustainability.

DEFRA, [Food 2030 Strategy](#), January 2010

Council of Food Policy Advisors Recommendations

The Second Report of the Council of Food Policy Advisors to the Government, published in March 2010, called for mandatory standards to be introduced for public sector catering, building on the lessons learnt in the Healthier Food Mark pilots:

The Government could make much more effective use of that part of the food system where it can directly influence the choices on offer – public sector catering and the hundreds of millions of meals it provides each year in England.

Voluntary approaches to raising public sector catering standards have failed to deliver systemic change. It is time for the Government to make good on the goal set out in the Cabinet Office's Food Matters report by introducing mandatory standards covering health, environmental impact and animal welfare for the procurement and provision of public sector catering in England. A transformation in public sector catering could play a significant role in encouraging a shift towards healthy, low impact diets.

Upgrading public sector catering in this way would:

- give effect to the principles that government set out in Food 2030;
- provide equality of access to better food across the public sector for patients, employees and others;
- make a direct contribution to reducing the negative health and environmental effects that are of concern; and
- provide a substantial lead market for innovative producers and suppliers.

There is great potential for better procurement to deliver better food. Studies have highlighted the efficiencies on offer from smarter food procurement. For example, it has been estimated that there are 35,000 different buying requisition points in public food procurement, adding complexity and reducing the opportunities to leverage economies of scale. A graduated approach that starts with a common minimum standard but

²⁷ Department of Health website, April 2010 [[National Archives copy](#)].

allows organisations to aim higher over time provides a means of raising average performance without the short term transition being too uncomfortable or costly.

There is ample evidence now to inform such a scheme. Lessons need to be learnt from the introduction of school meal standards, the pilots of the Healthier Food Mark and other initiatives in England, elsewhere in the UK and further afield.²⁸

In July 2010 Anne Milton, Parliamentary Under-Secretary of State for Health, announced that the new Government would not be taking the voluntary scheme forward but instead it would be incorporated into buying standards for food procurement in the public sector, which will be mandatory.

Over the last two years, the Department has been developing a scheme to improve the nutritional content and sustainability of food served in the public sector, provisionally known as the Healthier Food Mark. The Department has been working across Government on this, and particularly closely with both the Food Standards Agency and the Department for the Environment, Food and Rural Affairs (DEFRA). Two pilots, involving over 70 organisations from across the public sector, have been completed.

I am announcing today that the Healthier Food Mark will not be taken forward as a discrete scheme. Instead, the considerable body of evidence and learning from the development of both the nutrition and sustainability criteria will be used to help develop Government buying standards for food procurement in the public sector.

Government buying standards ensure that the public sector procures sustainable goods and services. They are mandatory for central Government Departments and their Executive agencies and are promoted to the wider public sector. The Government buying standards for food will take account of the evidence gained from the pilots of the Healthier Food Mark. DEFRA, working with the Department of Health and other Government Departments, will assess the costs and benefits of a number of options for criteria to be included in the Government buying standards for food to address both nutrition and sustainability. The standards will be consulted on in the autumn.²⁹

3 Reaction to the Bills

National Farmers Union

The National Farmers Union whilst supporting some of the principles of the *Sustainable Livestock Bill*, was critical of the attempt to regulate in this area, preferring a voluntary industry led approach:

NFU President Peter Kendall has said that while the organisation is firmly committed to working with politicians and other organisations, we cannot support this Bill in its current form. He said: "First and foremost, this Bill represents policy aspiration, not law.

I believe the UK government, present or future, should be free to develop its policy on the sustainability of the food and farming sector, working in partnership with industry and other interested organisations, as it sees fit. While the aspirations of this Bill are admirable, they are unsuited to legislation. I remain convinced there are better ways of improving farming's environmental impact, primarily by seeing through the voluntary and industry-led initiatives that are already underway rather than by adding further burdensome regulation.

²⁸ Council of Food Policy Advisors, [Food: a recipe for a healthy, sustainable and successful future](#), March 2010

²⁹ HC Deb 26 July 2010 [c66WS](#)

Under a variety of schemes, GHG emissions from the whole of the agricultural sector, including livestock, were reduced by more than 20% between 1990 and 2008. We remain strongly opposed to measures that attempt to regulate the industry's approach to this important issue. The Bill's focus on a duty to ensure the sustainability of the livestock sector is impossible to define in a legally enforceable way, and there is no enforcement mechanism in any case.

Furthermore, some provisions are of questionable legal status, for example a requirement to regulate the consumption of imports which potentially contravene world and EU trade rules. Such an unenforceable element would mean British farmers are put at a competitive disadvantage and could see consumers buying imported produce that will not have met any of the criteria sought in this Bill."³⁰

However, in their document *Why Farming Matters in the Election*, the NFU did set out areas they would like to see change such as improving country of origin labelling rules and improving public procurement policies:

The current rules governing country of origin labelling mean that consumers can often be misled by food packaging labels and the voluntary approach to better labelling has not delivered as it should. A more robust Government approach is required if this is to be rectified. Country of origin is now a significant driver of product choice in the retail environment and consumers should be provided with clear information so they can make informed choices.

The Government, in purchasing £1.8 billion of food and catering services, can also drive positive change as it procures food for hospitals, schools and the armed services. However, the various public procurement strategies in place to date have failed to properly address the issue of lower standard food being served by public sector caterers.

Farmers, their customers, and consumers deserve a properly functioning food chain with the principles of fairness, transparency and sustainability at its core. The abuse of market power, poor labelling practice and poorly developed public procurement policies need to be tackled to develop stable, long-term relationships and deliver improved consumer protection.³¹

Chartered Institute of Environmental Health

The Chartered Institute of Environmental Health published a press release supporting the *Public Bodies (Sustainable Food) Bill*:

Jenny Morris, CIEH principal policy officer, said public bodies need to take a lead and buy healthy and sustainable food.

'At present government spends more than £2bn every year on food which is served in public institutions, including schools, hospitals, care homes, the armed forces and prisons.

'Except for school meals, which have to meet national nutritional standards, public bodies are under no obligation to buy food that meets specific environmental, ethical or nutritional standards,' she said.

Some large catering companies and councils have contained costs while adopting a sustainable approach to buying food, she added.

³⁰ NFU, [Livestock Bill is admirable but flawed](#), 4 November 2010

³¹ NFU, [Why Farming Matters in the Election](#), 2010

Joan Walley MP, and the prime sponsor of the bill, said: 'It is high time we took steps to improve public sector food. Not only would this bring benefits to public health but would also provide a real boost to British farmers. It simply makes no sense for the government to require UK farmers to produce food to higher welfare standards than most other countries and then not apply those standards whenever food is bought out of the public purse. This bill could transform public sector food.'³²

Observer Article

An article in the Observer on 7 November suggested that the *Public Sector (Sustainable Food) Bill* does not have Government support:

The bill offers a lifeline to British farming, sustainable fishing, the environment and the health of some of the most vulnerable people in the UK. It is the very least that government can do – to commit to buy food whose production meets the basic health and sustainability standards that we all expect. But shockingly, even this "very least" of commitments is proving immensely difficult to achieve. Such is the current mood to resist legislation, it seems that government may not support a bill that would put food and farming at the heart of economic revival.

Government backing is essential for the bill to succeed. But public sector food minister, Jim Paice, might even instruct his MPs to block the bill in its very early steps in the legislative process.³³

The article goes on to argue why a single standard would be beneficial to the catering sector, and highlight the fact that the standard proposed by the Government will only apply to Government Departments:

Right now, caterers face hundreds of different specifications in thousands of public institutions – the most inefficient system you can imagine. Caterers are being set up to fail. Sodexo, which serves a million meals a day in the UK, says that introducing national standards would at worst be cost-neutral. As Sodexo's director of government relations, Tony Cooke, said last week: "We would welcome the introduction of mandatory standards. In the same way that we've seen nutritional standards adopted in schools, government should mandate a baseline health and sustainability standard across the entire public sector."

The coalition says it is developing government buying standards for food to address health and sustainability in central government institutions. Promising? No, not really, as it will apply only to 12% of food bought with taxpayers' money. What happens to the other 88% of public sector food, worth about £2bn?

We are faced with the real prospect of civil servants in Whitehall being served food that is mandated to be good for their health, while hospital patients and care home residents do not. That is unacceptable.³⁴

4 The Government's Position

4.1 Conservative Party Pledges

The Conservative Party launched its Honest Food campaign, in 2009, focusing on country of origin labelling. This evolved to include a Code for Sustainable Food and pledges to publish

³² CIEH, [CIEH backs call for sustainable food policy](#), 5 November 2010

³³ *Observer*, 'People in hospital suffer enough, so why are we feeding them bad food?' 7 November 2010

³⁴ *ibid*

details of public sector food procurement. Then Shadow Environment Secretary Nick Herbert set out details of his party's policy in April 2010:

The campaign initially focused on the need for clear country of origin labelling but now includes a range of proposals to help boost local food sourcing in the public sector, including:

- Government leading by example. Conservatives will mandate that all new contracts for Whitehall departments and their agencies only purchase food that meets British standards of production, wherever this can be achieved without increasing overall costs.
- Developing a Code for Sustainable Food. We will develop a Code to provide a clear, simple and workable set of standards for the public sector, from hospitals and care homes to schools and prisons.
- Transparency in public sector food procurement. We will require local councils and NHS organisations to publish details of the food they buy, so that people can hold them to account and demand improvement.

Mr Herbert said: "Under Labour, our self-sufficiency in food has fallen, government departments are sourcing less British food, and taxpayers have no idea how much of the food served in their local school or hospital is British. We need a government that backs British farmers, takes a lead in sourcing more local food and is transparent about what food the public sector is buying.

"A Conservative Government will require all Whitehall departments to source only food meeting British standards of production wherever this can be achieved without increasing overall costs. But we want to go further, developing a code for sustainable food that will provide a clear standard against which the record of public sector bodies can be judged. So we will also require councils and NHS organisations to publish their food procurement contracts so that local residents, patients and parents can see how much of their money is being spent on local food."³⁵

4.2 Coalition Agreement

The Coalition Programme for Government included the following statements on sustainable farming and food procurement:

- We [...] believe that much more needs to be done to support the farming industry, protect biodiversity and encourage sustainable food production
- We will introduce honesty in food labelling so that consumers can be confident about where their food comes from and its environmental impact.
- We will ensure that food procured by government departments, and eventually the whole public sector, meets British standards of production wherever this can be achieved without increasing overall cost.³⁶

4.3 Recent PQs

Further detail on the Government's position has been set out in answers to Parliamentary Questions. There is a strong emphasis on procuring food to British standards, as long as it does not increase costs:

³⁵ Nick Herbert MP, [Public sector must say how much food is local](#), 23 April 2010

³⁶ Coalition Government, [The Coalition: our programme for government](#), May 2010

The Government support moves to raise animal welfare standards both domestically and internationally, and our livestock industry already has some of the highest standards for farm animal welfare in the world.

The public sector must lead by example on this and DEFRA is taking forward the commitment in the coalition agreement to ensure that, food procured by Government Departments, and eventually the whole public sector, meets British standards of production wherever this can be achieved without increasing overall cost.³⁷

There is also a commitment from Defra to the development of Government buying standards for food, although initially this would be for Departments only rather than the whole of the public sector.

The procurement of food in the public sector is an area where the coalition Government are looking for progress, both in terms of efficiencies and sustainability. The public sector must lead by example on this, and DEFRA is looking into how this can be achieved.

DEFRA is taking forward the commitment in the Coalition Agreement to ensure that food procured by Government Departments, and eventually the whole public sector, meets British standards of production wherever this can be achieved without increasing overall cost.³⁸

Ministers also highlighted commitments from the industry to deliver on environmental sustainability:

Mr Paice: The Government are committed to ensuring we have a thriving and sustainable livestock sector in the UK, and we are working with the industry on the challenges it faces. This includes Government support for the agricultural industry's Climate Change Task Force in delivering its commitment to reduce greenhouse gas emissions, and for the dairy, beef and sheep, and pork meat sectors in delivering their product roadmaps for environmental sustainability.

DEFRA supports research on livestock through our research programmes on sustainable farming and food and animal health and welfare.³⁹

³⁷ [HC Deb 8 June 2010 c90W](#)

³⁸ [HC Deb 22 June 2010 c124W](#)

³⁹ [HC Deb 20 October 2010 c737W](#)