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LIMITE

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Special Committee on Agriculture (SCA)
Subject:	SCA 19.01.2026 (follow-up): Report on the evaluation of the Unfair Trading Practices Directive - Presentation by the Commission

Delegations will find in Annex the PowerPoint presentation from the Commission, which was presented at the SCA on 19 January 2026 (agenda item 4).

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Report on the Evaluation of the Unfair Trading Practices Directive (EU) 2019/633

Special Committee on Agriculture – 19 January 2026

Context & scope of the evaluation

Why the Directive?

Adopted in 2019 to address UTPs in the agrifood supply chain
Responds to abuses stemming from persistent imbalances in bargaining power, especially affecting farmers

Key provisions

Minimum harmonisation approach
Protects farmers, small processors, and other small suppliers of agricultural products and products produced using agricultural products with **turnovers up to EUR 350 million**.
Prohibits **16 UTPs**, categorised as 'black' (always prohibited) and 'grey' (allowed with prior agreement), and empowers enforcement authorities to act on complaints, investigate and sanction abuses

Article 12:

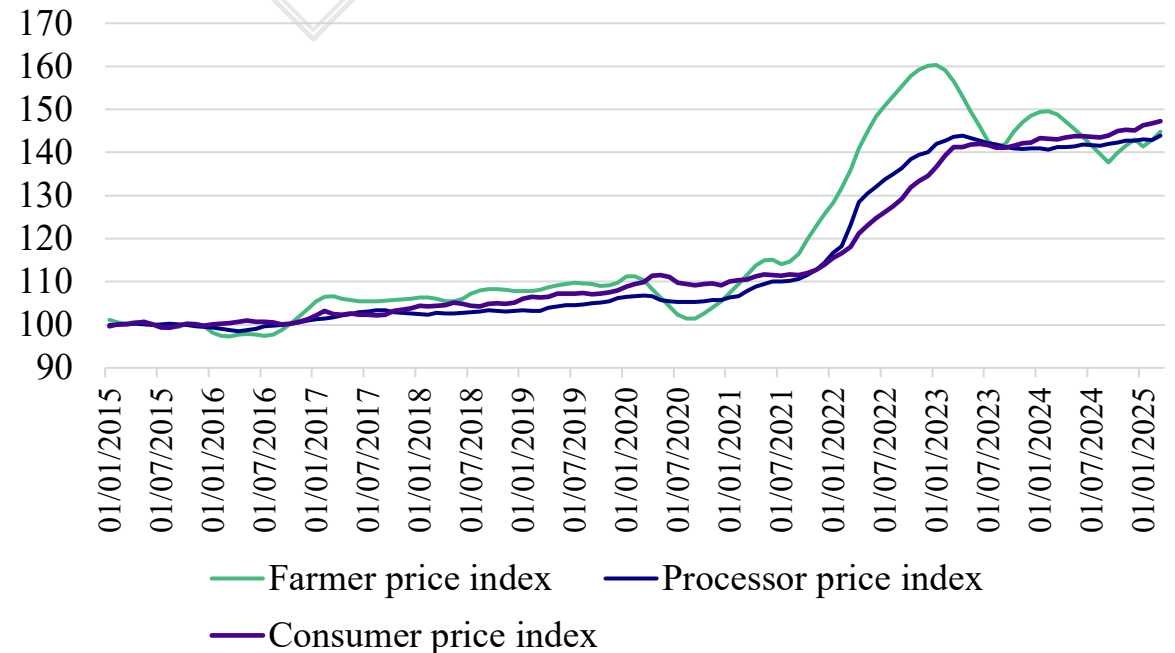
COM to publish report on the main findings of the evaluation by end 2025



Evaluation process, sources and limitations

- Evaluation criteria: effectiveness, efficiency, relevance, coherence and EU added value
- Extensive consultation process with support of external study
- **But significant challenges:**
 - Short implementation period, due to delays in transposition
 - Significant variation across MS
 - Limited access to transaction level data due to fear of retaliation
 - High market volatility and a surge in input costs

Price transmission along the food chain (Index 2015=100)



Source: [Agri food data portal](#) based on Eurostat. Farmer prices (green): what the farmer receives. Processor prices (blue): what the processed product costs to greengrocers and to supermarket purchase department. Consumer prices (violet): what consumers pay at the store.



Findings & lessons learned (I)

EARLY PROGRESS, BUT MIXED VIEWS

Even though UTPs still happen, **farmers and small suppliers report tangible improvements** (e.g., revised contracts, shorter payment periods, and greater transparency).

The **retail sector** remains more critical and points to higher costs.

Harmonisation has improved, though **significant national differences** persist.



Findings and lessons learned (II)

AWARENESS AND ENFORCEMENT CHALLENGES

Awareness is still limited, while easy access to information is essential for effective enforcement.

The fear factor remains a barrier, but collective complaints by producer organisations could improve complaint rates.

Ex officio investigations have shown potential to reinforce enforcement, but their use remains limited in some MS.



Findings & lessons learned (III)

RELEVANCE CONFIRMED BUT POSSIBLE GAPS REMAIN

The Directive remains broadly relevant, though some stakeholders call for further rules (e.g., revision of turnover thresholds, protection of small buyers, prohibition on sales below production costs, and addressing emerging UTPs).

Facilitate innovation to address emerging needs, including through potential review of the list of UTPs and to address the issue of farmers being forced to systematically sell below costs.



Next steps



Building on the evaluation findings, the COM will analyse & prepare a proposal for a **targeted revision** of the UTP Directive



Call for Evidence and Public consultation open from 5 December 2025 until 27 February 2026



Workshop with Agricultural ministries and UTP enforcement authorities in March 2026



Implementation Dialogue and Reality Check with practitioners Q1/2026



Revision proposal **planned by end of 2026**



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Thank you



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Links to UTP evaluation documents

[Commission report: Evaluation of the Unfair Trading Practices Directive](#)

[Commission Staff Working Document: Evaluation of the Directive \(EU\) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain](#)

[Evaluation support study of the EU Directive 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain](#)

[Study on Regulatory and Voluntary Schemes for Fair Agricultural Remuneration](#)



Links to the documents on the Revision of the UTP Directive

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[Business-to-business unfair trading practices in the food supply chain – revision of EU rules](#)

