

# Legal newsBITE: Food and drink quarterly

June 2026



## Sanitary and phytosanitary (SPS) agreement between the UK and the EU: Progress and guidance

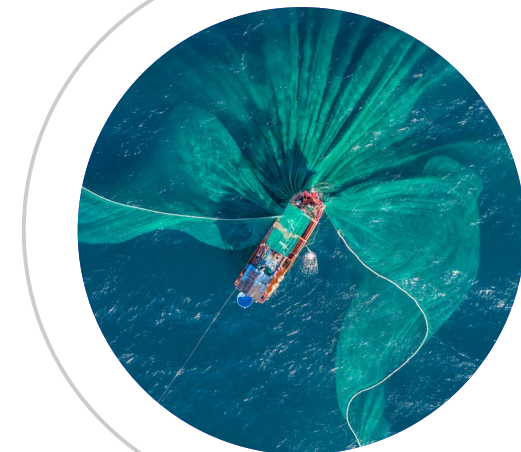
This quarter, the Environment, Food and Rural Affairs Committee has published a report: [“UK-EU agritrade: making an SPS agreement work – Government Response”](#). This is a response to a February report that made 22 recommendations on alignment with the EU sanitary and phytosanitary policy, implementation timeline, a UK-wide approach, biosecurity at the border, border infrastructure, and resourcing and oversight.

At the end of June, Defra followed this up with [guidance](#) on “preparing your business” for the SPS agreement (Guidance), confirming that the intention is for the new agreement (currently being negotiated) to take effect in mid-2027. The Guidance covers specific areas (animal breeding, border control posts, fish and shellfish, genetic technologies, horticulture, logistics/ hauliers, organics and veterinary) but also includes guidance for general food manufacturing, processing and standards, and food production, plants, animals and associated sectors.

It is important for food business operators to be aware that any agreement reached will affect food and drink being supplied only to the UK market, as well as products that are supplied to the EU. Changes under the agreement will involve compliance with EU rules for food standards, safety, labelling and regulated products (such as additives, novel foods, flavourings and food-contact materials). Therefore, where there has been divergence in the EU on these matters post-Brexit, products (and processes and operations) may need to be reviewed. For example, ready-to-eat food producers will need to comply with new [EU food safety criteria for listeria](#), and there will be new/additional/ revised maximum contaminant levels for contaminants such as PFAS, heavy metals, mycotoxins and plant toxins.

A positive for many will be simplification around on-pack names and addresses. It is expected that operators will be able to use either a UK or an EU food or feed business operator address (whereas currently, foods/feeds supplied in Great Britain need a UK address, and foods/feeds supplied in the EU need an EU address, meaning multiple on-pack names and addresses where products are supplied to both markets). However, given that negotiations are currently continuing, it may be sensible to await confirmation before changing current name and address labels.

The Guidance provides links to [sign up for Defra email alerts](#) and the [SPS readiness mailing list](#) to receive the latest updates.



## Fines from French regulator for organic food “cartel”

The French competition authority has announced that it had imposed total fines of €12.67 million on several businesses involved in a more than seven-year cartel in the organic food sector (a rapidly expanding sector), running from March 2017 to October 2024.

The authority found that the participants agreed to keep many organic brands separated between two sales channels – (i) specialist organic stores, and (ii) mainstream supermarket chains – in order to prevent the same brands from being sold in both channels at the same time, making it harder for shoppers to compare prices. The authority found that this reduced price competition and helped specialist organic retailers avoid pressure from lower supermarket prices.

The investigation found that, in addition to the trade union Synadis Bio, several businesses played active roles in the cartel, including Greenweez, Les Comptoirs de la Bio and ITM Entreprises, all of which were fined. Synadis Bio received the largest penalty at €10 million, Greenweez was fined €1.85 million, with the amount shared jointly and severally with its parent company, Carrefour. ITM Entreprises was fined €740,000, also jointly and severally with its parent company, Les Mousquetaires. Les Comptoirs de la Bio received a fine of €80,000.

## UK Deposit Return Scheme (DRS): DRS logo and the Return Handling Fee published

The UK DRS is due to launch on 1 October 2027, and introduces new legal obligations for producers and retailers of in-scope drinks containers. Exchange for Change (EfC), the body responsible for the design and delivery of the DRS across England, Scotland and Northern Ireland, has published the approved [regulatory requirements](#) with instructions on how producers must apply the DRS logo to all in-scope drinks containers. The use of this logo will be mandatory from 1 October 2027 for all PET plastic bottles and aluminium and steel cans included in the scheme.

The DRS logo must be displayed in all in-scope containers, and there are size, colour formats and production specifications for it. It will enable consumers to recognise items that can be returned for a deposit refund.

EfC has also established the [Return Handling Fee](#), which is payable to retailers operating return points to compensate them for the costs of collecting and processing returned containers.

The current proposed rates are:

- **Manual return points** – 3p per container.
- **Automatic return points:**
  - **Tier 1** – 5p per container, up to 225,000 in-scope items returned annually.
  - **Tier 2** – 1.3p per container, for annual in-scope returns in excess of 225,000.

These fees will be subject to periodic reviews, and affected businesses should monitor further updates.

Food business operators that will be affected by DRS should remember that there will be a separate scheme for Wales, which will be designed for reuse. In Wales, glass bottles will also be included in the scheme, but deposits will not be charged on glass bottles from the October 2027 start date. The UK government has agreed to an exclusion from the UK Internal Market Act (which requires a harmonised/well-functioning market across the UK) for single glass bottles in Wales, but this is subject to commitments on a number of points, including extending the transitional period for single-use glass (during which no deposit will be applied, and labelling requirements will not apply) until October 2031. There has been no announcement as to who will be the scheme operator for Wales at this time (EfC is not appointed in respect of Wales).





## EU Court of Justice (CJEU) rules on case around misleading origin on packaging: Unfair commercial practices rules and food information rules can apply together

On 30 April 2026, the Court of Justice ruled in [Case C-301/25](#) on misleading practice in relation to a fine imposed on Lidl Italia for pasta packaging that emphasised Italian origin while the durum wheat came from a mix of EU and non-EU sources. The Italian Consiglio di Stato asked whether Article 7 of the Food Information to Consumer Regulation (EU) No. 1169/2011 excludes parallel application of the Unfair Commercial Practices Directive (UCPD) under Article 3(4).

The court held that there is no conflict between the two regimes, since a conflict under Article 3(4) requires incompatible obligations. The two systems pursue a common goal of preventing consumers from being misled, though the UCPD centres on economic interests and fair competition, while the regulation is rooted in health and food safety. As a result, misleading origin labelling can be penalised under national UCPD rules even where it also falls under Article 7 of the FIC Regulation on fair information practices. The court added one caveat in that a labelling practice fully compliant with Article 7 should not in principle be prohibited under the UCPD. This clarification is welcome when we are a few weeks away from the entry into application of the Empowering Consumers for the Green Transition Directive.

## Pest traces alone suffice to prove a food hygiene breach, CJEU rules in Case C-483/24

On 13 May 2026, the Court of Justice ruled in [Case C-483/24](#), concerning criminal proceedings against an international supermarket chain in Belgium in relation to food hygiene rules. Following repeated inspections finding rodent droppings as well as nibbled and soiled products in shops and a warehouse, the Belgian Cour de cassation asked the EU Court whether this alone proves a breach of Regulation No. 852/2004 on the hygiene of foodstuffs, or whether authorities must also show the operator failed to use best endeavours.

The court held that a finding of pest traces suffices to establish an infringement of Annex II, Chapter V(1)(a) and Chapter IX(2) and (3), without it being necessary also to prove that that operator has failed to take all available measures to prevent the presence of those pests. Only the premises requirement in Chapter I(2)(c) still requires proof that the premises characteristics itself prevented good hygiene practice.

## EmpCo transposition and green claims enforcement update

The list of member states that have transposed the [Empowering Consumers for the Green Transition Directive](#) (EmpCo) keeps growing, with Denmark, Luxembourg, Ireland and Croatia among the latest additions. Many countries are still lagging behind though, and this is despite the commission having opened [infringement proceedings](#) against 20 of them for missing the transposition deadline.

Enforcement against misleading environmental claims is not slowing down either. Recently, French courts have handed down notable rulings on sustainability claims, finding that terms such as “carbon neutral” and “100% recyclable” were liable to mislead consumers.

And at EU level, the CPC Network has published a [Common Understanding Document](#) on how to treat old stock ahead of EmpCo becoming applicable. The document is not binding, but it confirms a practical approach should be favored.

Taken together, these developments show that the direction of travel is clear, even where the timing across Member States is not. Companies should prepare accordingly, reviewing not only their product portfolios but also their broader commercial communications, ahead of the September 2026 deadline.

## First Rulings on UK “Less Healthy” Advertising Restrictions

We have previously reported on new UK advertising restrictions for “less healthy” food and drink products (including our [blog](#) on Advertising Standards Authority (ASA) guidance). We are now starting to see some rulings from the ASA relating to this issue. Certain themes can be drawn from rulings to date, including:

- The new rules do not only apply to food and drink business, but also to other types of business, but even if a less healthy product is clearly shown during the advertisement, it may be concluded that the ad is not for an identifiable less healthy product within the overall context ([ruling on On The Beach](#)).
- Where more than one product is depicted in an ad on social media, and not all of the products depicted are less healthy, the ad can still be in breach, but brief showing of products in a wider display, where they are not mentioned in the voice-over, may be viewed as incidental and fleeting and therefore not identifiable ([ruling on Lidl Northern Ireland](#)).
- Paid-for banner ads on newspaper websites are within scope, including when placed via an ad network, in circumstances where they show numerous products, some of which are less healthy ([ruling on Iceland Foods t/a Iceland and the Food Warehouse](#)).
- Social media ads advertising restaurants/hospitality venues may be assessed as to whether individual food items shown in the add are high in fat, salt or sugar (HFSS), although in this particular ruling, they were not and therefore the complaint was not upheld (ruling on [GDK International t/a German Doner Kebab](#)).

Taken together, these rulings indicate that the ASA are actively monitoring and enforcing complaints relating to the new restrictions. It will be important for food and drink businesses to understand trends in complaints and rulings to ensure that they apply the new restrictions consistently.

## Plastic Packaging Tax: Proposed changes could increase compliance obligations

The government is [consulting](#) on proposals to introduce mandatory certification for mechanically recycled plastic used to claim the exemption from the UK’s Plastic Packaging Tax (PPT). The aim is for these changes to take effect from 1 April 2027.

The UK’s PPT is a tax that applies since April 2022 to plastic packaging components manufactured in or imported into the UK that contain less than 30% recycled plastic. This tax aims at incentivising the use of recycled plastic and materials in packaging. Businesses have been able to claim an exemption where their plastic packaging contains at least 30% of recycled plastic, and so far, these claims rely on evidence provided throughout the supply chain.

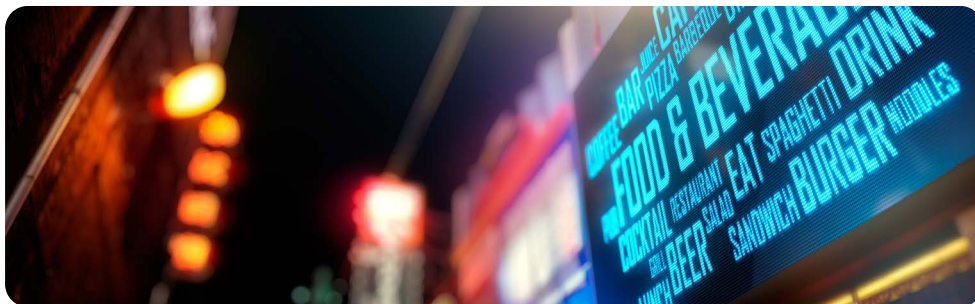
The consultation does not propose changing the 30% recycled content threshold. Instead, it focuses on making it mandatory for businesses to hold certified evidence to demonstrate claims regarding the amount of recycled content in their packaging. HMRC expressed concerns about the reliability of current documentation and the risk of fraudulent claims, particularly where recycled content is difficult to verify.

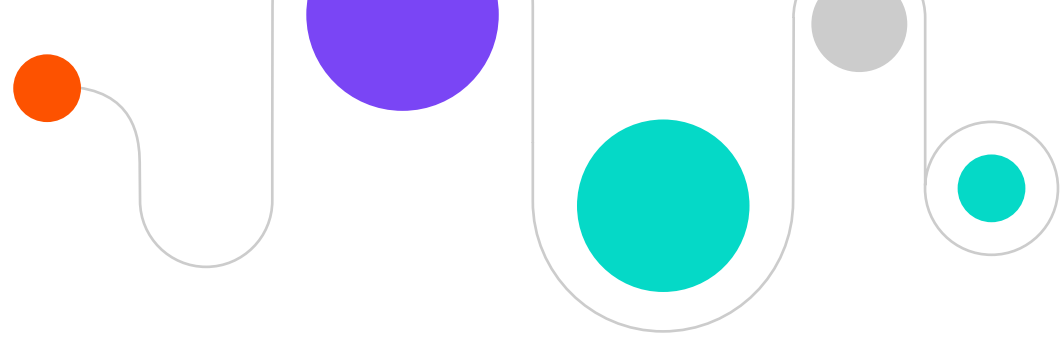
Some of the key points of the consultation are:

- Whether the certification is necessary and proportionate.
- Which business in the supply chain should be subject to certification.
- Establishing an appropriate implementation timetable.
- Preconsumer waste will no longer be classified as recycled plastic for the purposes of PPT, and only reprocessed post-consumer plastic waste will be accepted.

If implemented, the changes could have significant implications for manufacturers, importers, mechanical recyclers and businesses throughout the packaging supply chain, as it has the potential to increase compliance costs and create new supply chain obligations. All businesses within the supply chain would need to register with a certification scheme and obtain certified evidence of recycled content, and importers would need to review supplier contracts and due diligence processes.

Potentially affected food businesses should assess whether their current evidence would meet a certification-based regime and consider responding before the consultation closes on 10 August 2026.





## Statutory guidance on assessing packaging recyclability for packaging extended producer responsibility

PackUK, the scheme administrator for the UK's extended producer responsibility for Packaging (pEPR), has published new [statutory guidance](#) to support producers to assess packaging recyclability under pEPR. The guidance is known as the recycling assessment methodology (RAM) 2027. Large producers, bearing the obligations under pEPR for payments in relation to household packaging waste disposal fees, are legally required to use RAM 2027 to assess and report recyclability of household packaging for the reporting year 1 January to 31 December 2027.

The existing RAM categorises packaging according to a "traffic light" system for recyclability, and this continues under RAM 2027, but there are changes to the "automatic red" rating, which will now include packaging containing more than one part per million of total PFAS, or the stricter threshold of 25 parts per billion for food packaging. There are also limits set for substances of concern under legislation relating to the registration, evaluation, authorisation and restriction of chemicals (REACH), substances of very high concern, persistent organic pollutants, biocidal products regulation substances and substances classified under chemical classification, labelling and packaging (CLP) rules. In addition, food contact packaging that does not comply with food-contact materials requirements is an automatic red.

## Law Commission considering a new opt-out consumer class actions regime for England & Wales: Potential impact on consumer food businesses

The Law Commission of England and Wales, at the request of the government, has launched a project to consider the benefits and risks of introducing a consumer class actions regime, with the questions being asked making clear it is looking at a potential US-style opt-out regime.

While group claims have been on the rise in England and Wales over the last decade through existing mechanisms, if a new opt-out consumer class actions regime is introduced, this could be a game changer for the English litigation landscape, where opt-out claims are currently only really available in the Competition Appeal Tribunal for breaches of competition law. Such a regime should bring benefits for consumers, but the risk of increased mass claims for consumer businesses, particularly in the food sector, where individual product values may deter customers from pursuing individual claims.

It is not yet clear what types of claims would be covered – this is one of the questions the Law Commission is considering – but given the focus on consumer claims, any new opt-out regime would likely cover product related claims, potentially encouraging increased numbers of consumers to come forwards to claim compensation relating to the purchase or consumption of affected products, even where the products in question are relatively low value, as is often the case in the food sector. It remains to be seen whether it would extend to environmental claims brought on behalf of consumers, but this will likely be an area of focus given the environmental claims we are already seeing (including in the food sector – with the previously mentioned claim against a poultry processor regarding alleged pollution of the River Wye still ongoing, albeit not a case brought by its own consumers) and some of the challenges in bringing them on a collective basis within the existing regimes.

For more of our thoughts on the current landscape and the potential impact of the Law Commission's project, see our [recent briefing](#).



## UK Employment Rights Act 2025: Checklist for October 2026

We have previously reported in newsBITE on key developments in employment law for food businesses under the Employment Rights Act. Key topics for food businesses include more restrictive provisions on “fire and rehire”; new obligations on employers in relation to sexual harassment in the workplace and harassment by third parties (also of particular interest to the hospitality sector); a new duty to inform workers of their right to join a trade union; and the right of trade unions to access the workplace to recruit members; the unfair dismissal threshold moving from two years to six months in January 2027, and applying to all hires from July 2026; and for food hospitality businesses, new requirements on tipping policies. We have published a [checklist for October 2026](#) to help you prepare for October and beyond.

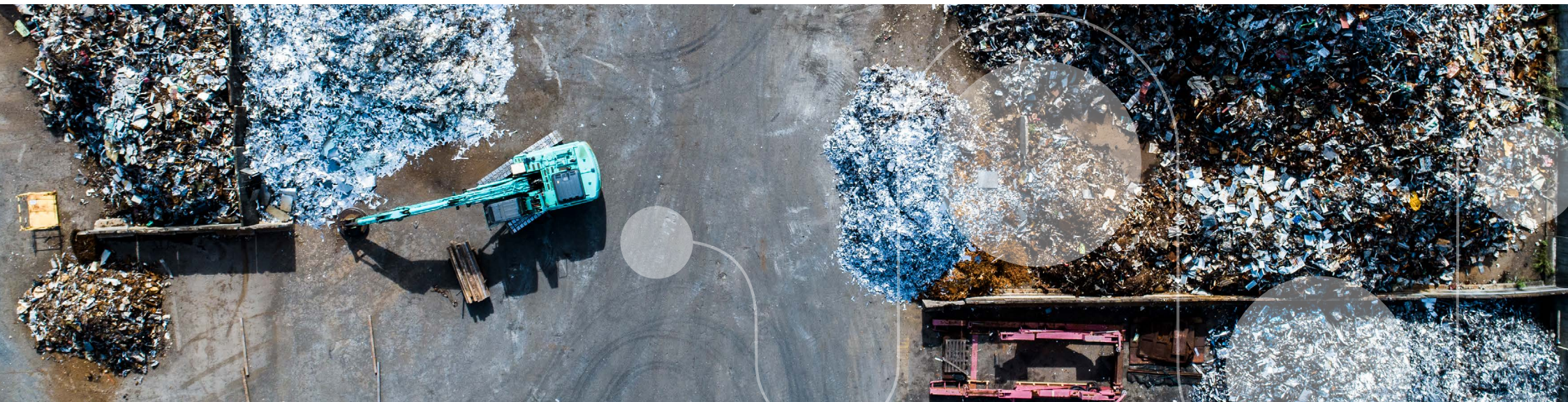
## European Council agrees mandate on European Biotech Act I Directive

On 16 June 2026 the council agreed its [position](#) on the European Biotech Act I Directive, which amends two existing directives on genetically modified microorganisms (GMMs) and on organ processing. The aim is to speed up the path from lab to market for biotech innovation while keeping safety standards intact. The text now goes to the European Parliament, after which the two institutions will negotiate the final version.

## EU Packaging and Packaging Waste Regulation (PPWR) “just around the corner”

We have previously reported on the sweeping changes around sustainability and compliance requirements for packaging coming up in the EU, under the PPWR. The requirements start to apply from 12 August 2026, although many requirements will only become effective at a later stage. Key requirements from 12 August will include the declaration of conformity and technical documentation arrangements, which will need to cover heavy metal requirements, PFAS (for food-contact packaging materials), minimisation of substances of concern and reusability requirements; marking and traceability requirements; and obligations relating to recyclability and environmental claims. Also, companies will need to assess whether they qualify as a “producer” for extended producer responsibility (EPR) purposes, and hence have to register with the relevant producer responsibility organisations (PROs) and start tracking packaging volume/weight that they sell on the relevant market.

The European Commission has published draft slides with the latest output from the PFAS packaging task force, as discussed during the [May meeting](#) of the Waste Expert Group. Although in draft form, these slides give much more detail on the commission’s proposed approach to the PFAS threshold in the PPWR and how industry (and market surveillance authorities) should approach it. The commission recommends that manufacturers carry out a PFAS risk assessment, in line also with the [notice](#) published in June, and include the same, and the relevant follow-up actions, in their technical documentation.



## Penalties for reducing pack sizes in Germany?

An international confectionary business was found, in a recent German court case, to be guilty of not changing its packaging enough to reflect size changes in one of its chocolate bars (as reported in the [trade press](#)). The court ruled that changing the weight labelling from “100g” to “90g” was not enough to avoid deception. However, the issue was not, of itself, related to the change to the size of a product. What is often termed “shrinkflation” occurs when the content of a packaging is reduced while the packaging itself looks more or less the same as before, i.e. with respect to the size of the packaging.

There are two ways for companies to handle this situation. One is to reduce the size of its packaging in a way that is recognised by consumers. This will be mandatory by 1 January 2030 due to Article 10 of the EU’s Packaging and Packaging Waste Regulation 2025/40, which relates to “packaging minimisation”. Essentially, it will be necessary to design any packaging so that its weight and volume is reduced to the minimum necessary to ensure its functionality.

In the meantime, however, there may be good reasons to continue with standardised packaging sizes around logistics and warehousing arrangements. If that is the case, the second way for companies to handle changes in product size is for companies to indicate clearly on the front of the pack that consumers will get less product than they were used to. Such a “warning label” is mandatory for three to six months depending on the shelf life of the product. This principle is the same in all EU–countries, but authorities may apply different views with respect to the question of what kind of change in the packaging is sufficiently recognisable.

Changing the weight on labelling is not enough, since courts have found that consumers “who are reasonably well-informed and reasonably observant and circumspect” will not pay much attention to the weight labelling when they buy a daily-use product in packaging they have known for years. Only a few court cases have been reported on this; one from Vienna (Manner) and one from Hamburg (Sanella). But there have been dozens of complaints by German consumer associations leading to a broad public debate. For example, the Consumer Association Hamburg (*Verbraucherzentrale Hamburg*) regularly publishes a “deceptive packaging of the month”.

The firm’s Christofer Eggers provided commentary on the case in this [Food Navigator Europe article](#).

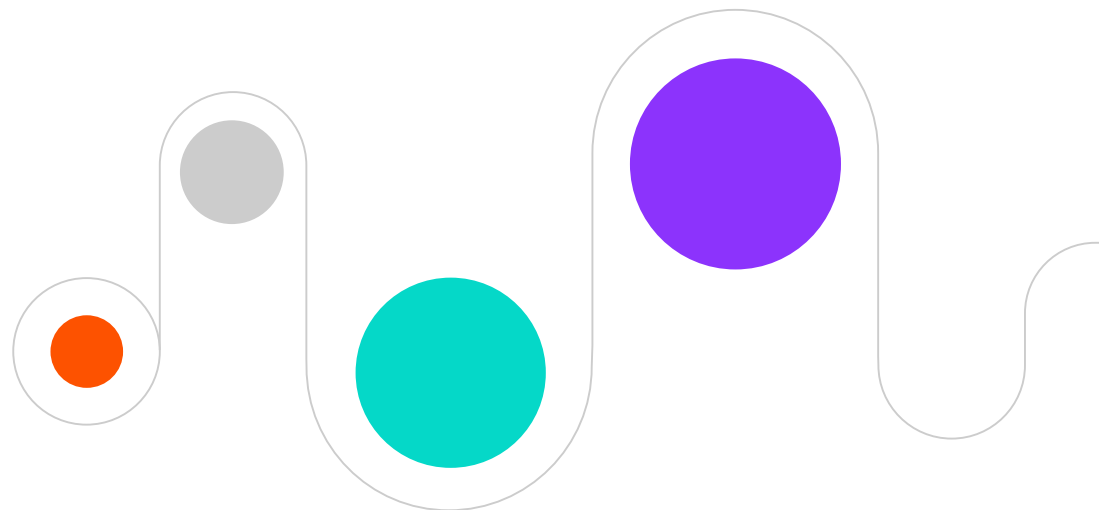
## Advertising Standards Authority (ASA) ruling on supplement “health claims”

An [ASA ruling](#) was published in May, in which complaints made against a supplement company have been upheld. The first issue was around weight loss claims and how these fit in with the assimilated Nutrition and Health Claims Regulation (EC) 1924/2006 (with reference to authorised health claims on the Great Britain register); and the second was about whether the claims in the advert implied that the supplements had the same medicinal effects as GLP-1. Both complaints were upheld.

The ASA ruling identified that, although there was an authorised health claim for one of the ingredients in the product, the main claims on the page relating to that ingredient, and weight loss did not match the wording of the authorised claim. Additionally, the company referred to the suppression of hunger cravings, for which there was no authorised claim. The ruling also includes a reminder that an authorised claim is required to be made in relation to the relevant nutrient or food for which it had been authorised, rather than for the product as a whole.

ASA also considered that references to weight loss without injections and comparisons to injection pens were likely to lead consumers to understand the product was equivalent to a prescription-only medication, namely GLP-1 injections. It also outlines concerns that other claims implied the product, which was marketed as a food supplement, had medicinal properties.

This ruling is a helpful reminder of the requirements for health claims (even if claims related to certain ingredients are authorised) and of requirements under advertising codes relating to medicines and health-related products.



## Procurement law update for those supplying the public sector

The High Court of England and Wales has recently handed down the first judgment on the test for lifting the automatic suspension following a challenge to a contract award under the Procurement Act 2023, in *Parkingeye v. Velindre University NHS Trust and Anor*. While that case involved car park management services, the principles are equally relevant to suppliers in the food and drink sector who bid for public contracts, e.g. to provide catering services.

The case indicates that the automatic suspension that is triggered when a procurement process is challenged during the standstill period before contract award (which can be as little as eight working days) may be more readily upheld under the new rules, potentially strengthening the value of unsuccessful bidders issuing proceedings during the standstill period where there are grounds to challenge the outcome of a procurement process, particularly for incumbent suppliers who may remain in post in the meantime.

As ever, there is however a need to act very swiftly if considering challenging a procurement process. For more detail on the case and its implications, see [our briefing](#).

## Benedict's Law: Changes to statutory guidance mandating school allergy safety policies

In September 2026, new statutory guidance ("Supporting Children and Young People With Medical Conditions and Allergy") is expected to come into force, and will impose new responsibilities on schools to manage risks from allergies. The government [consulted](#) on the proposals between 5 March and 15 May 2026, and is currently assessing responses.

The statutory guidance is commonly referred to as "Benedict's Law", following a campaign to improve allergy safety in schools, connected with the death of five-year-old Benedict Blythe in 2021 (caused by anaphylaxis due to a milk allergy).

One of most significant measures under the statutory guidance is that schools will be required to produce and periodically update a stand-alone allergy safety policy. Governing bodies will need to ensure that the policy is readily accessible to parents and staff. The statutory guidance will be published under the Children and Families Act 2014. It is currently in [draft form](#), but it is anticipated that the draft text will largely be adopted as the final form of the guidance.



## UK Food Standards Agency (FSA) board agenda June 2026: Annual science update

The agenda for the FSA's June board meeting includes a number of topics, indicating areas of ongoing and upcoming focus for the department that is responsible for the protection of public health from risks arising from the consumption of food and the protection of the interests of consumers in relation to food in England, Wales and Northern Ireland.

Of particular note, the agenda includes an annual science update, which flags considerable public and political interest in PFAS and microplastics in food, and potential risks to health, with possible implications for the FSA in the event of a sanitary and phytosanitary (SPS) agreement (as outlined above) despite the fact that the UK's Committee on Toxicology has previously noted a number of reservations and uncertainties about the PFAS limits established by the European Food Safety Authority (EFSA) and the studies used.

The science update also covers the increasing use of AI in relation to evidence synthesis and systematic reviews, analysis of complex datasets, horizon scanning and quality assurance of scientific outputs. The report notes the potential to further strengthen surveillance to identify and act upon emerging risks faster, with an aim that the FSA should "remain forward-looking and continue to invest in the validated use of AI across its scientific, surveillance and regulatory functions."

On ultra-processed food (UPFs), the report notes that the FSA should be actively informed about emerging evidence and ongoing key studies, as well as having accurate information as to exposure to UPFs, for example through dietary intake data and measurement of relevant biomarkers. Although the FSA is unlikely to fund human clinical trials for clarification in relation to UPFs, it will influence funding calls for the generation of useful evidence.

## UK Incidents & Resilience Annual Report 2025/2026 highlights shifting risks in food and feed safety

In addition to the scientific update outlined above, the FSA has published a [report](#) on the FSA's work to manage an increasing number of food and feed safety incidents over the past year. It highlights a shift in the nature of risk, with "global supply chains, cross-border distribution and online marketplaces all adding to the complexity".

Notably, allergen incidents are the second most commonly reported hazard (below pathogenic microorganisms, which are still the most commonly reported, but for which numbers are falling). Allergen incidents are stated to often occur alongside labelling issues, due to nondeclaration (or, presumably, misdeclaration) – such hazards are now recorded both as an allergen and a labelling incident. There has been a "modest increase" of allergy alerts in recent years, but the report notes that this remains lower than previous levels.

The most commonly reported pathogen over the last year has been salmonella, accounting for approximately half of pathogen microorganism incidents, followed by *listeria* and *E.coli*.

Perhaps the most interesting section in the report in terms of a "watch list", is the "future-looking" section on evolving areas and opportunities, which highlights challenges around traceability, accountability and enforcement, exacerbated by supply chain disruption, exposed by international supply chains and digitally enabled cross-border routes to market, including online marketplaces. There is more than one reference to food system resilience and the Middle East developments, as well as shocks such as the Ukraine conflict, and "national security risks", with a note that the FSA is undertaking a project with the Science Council to examine how geopolitical shocks could cascade through food safety and authenticity.

Suggestions to deal with some of these challenges include:

- "Technological advancement and automation", including for the early stages of volume and assessments and supply chain mapping – this is possibly a reference to the future use of AI and other software for market surveillance and traceability.
- Strengthening "cross-government and international partnerships", with the specific example given of the SPS agreement with the EU – hinting at possible new joined-up approaches to enforcement on the horizon.
- Creation of a new Food System Resilience Directorate, which is proposed for later this year, to help identify and respond to short-term food system risks. This will include a risk and intelligence hub.
- Digital and data-driven incident triage capabilities, including AI-assisted classification as part of the FSA's incidents case management system, PRISM.

Food business operators would be well placed to consider whether hazards identified in the report, as well as evolving areas of risk, might affect their business and products, and how such risks can be effectively managed.



## Unfair trading practices in the agri-food supply chain: A shifting balance of power

In 2019, the EU adopted Directive (EU) 2019/633 on unfair trading practices (UTP Directive), with the explicit objective of ensuring a fair standard of living for the agricultural community. The UTP Directive is being revised, with the European Commission currently procuring an impact assessment to support this, and a legislative proposal is expected in Q4 2026.

The UTP Directive establishes a list of unfair trading practices (UTPs), divided into so-called “black” practices (outright prohibited) and “grey” practices (permitted only if clearly agreed in advance). The Directive applies where there is a perceived imbalance between supplier and buyer, based on predefined turnover bands. In essence, farmers and their cooperatives are given protection where their buyers have a larger turnover than them. However, while the UTP Directive is primarily aimed at protecting farmers and their cooperatives, its effects extend further down the supply chain. Notably, it also offers protection to downstream suppliers with an annual turnover under €350 million, so it may also be of broader relevance to food business operators.

A call for evidence related to the revision of the UTP Directive identifies two main areas where revision may be warranted:

- i Strengthening enforcement and reducing suppliers’ “fear factor”
- ii Addressing uneven performance and strengthening the economic viability of the agricultural community

Separately, a significant recent development is the adoption of Regulation (EU) 2026/697, published on 20 March 2026, which establishes a framework for cooperation among national enforcement authorities responsible for applying the UTP Directive. This Regulation aims to ensure more effective enforcement by facilitating coordination and information-sharing across member states.

This is an area of growing focus. A recent [agricultural trade-press article](#) refers to a supplier survey showing that buyers largely comply with UTP legislation, but that issues remain.

These developments raise important questions for the future of UTP laws in the EU, including whether the protection should remain limited to suppliers with turnover below €350 million, and whether the agri-food sector is unique in warranting such intervention.

Please see our [article](#) for further detail. We will update on further significant developments on UTP legislation in due course.



## Contacts



**Hannah Kendrick**  
Partner, Leeds  
T +44 113 284 7620  
E hannah.kendrick@quirepb.com



**Carlton Daniel**  
Partner, London  
T +44 20 7655 1026  
E carlton.daniel@quirepb.com



**Francesca Puttock**  
Associate, Birmingham  
T +44 121 222 3215  
E francesca.puttock@quirepb.com



**Nicola Smith**  
Partner, Birmingham  
T +44 121 222 3230  
E nicola.smith@quirepb.com



**Manon Ombredane**  
Legal Director, Brussels  
T + 32 2 627 1134  
E manon.ombredane@quirepb.com



**Christofer Eggers**  
Partner, Frankfurt  
T +49 69 1739 2444  
E christofer.eggers@quirepb.com



**Sam Hare**  
Director, London  
T +44 207 655 1154  
E sam.hare@quirepb.com



**Miles Robinson**  
Partner, London  
T +44 207 655 1315  
E miles.robinson@quirepb.com



**Matthew Lewis**  
Partner, Leeds  
T +44 113 284 7525  
E matthew.lewis@quirepb.com



**Deborah Polden**  
Partner, Leeds  
T +44 113 284 7227  
E deborah.polden@quirepb.com



**Gerard McElwee**  
Partner, Brussels  
T +32 2 627 7628  
E gerard.mcelwee@quirepb.com

